CASE 13-11 Yong Feng Xia 69 Butler Road

## MINUTES OF THE PUBLIC HEARING SUDBURY BOARD OF APPEALS Monday, July 15, 2013

The Board consisted of:

Benjamin D. Stevenson, Chair; Jonathan F.X. O'Brien, Clerk; Jonathan G. Gossels; Jeffrey P. Klofft; and Elizabeth T. Quirk.

Notice was published in the *Sudbury Town Crier* on June 27 and July 4, 2013, posted, mailed and read at this hearing.

Mr. Stevenson, as Chair, re-opened the hearing for ZBA Case 13-11, 69 Butler Road, as continued from June 17, 2013. He then explained the requirements necessary to substantiate the granting of a Special Permit. He explained that if anyone is not satisfied with the Board's decision, they have the right to appeal to Superior Court or Land Court within twenty days after the decision has been filed with the Town Clerk, and that possible other appeals may exist under current law.

Real Estate Agent, David Noyes, was present along with applicant Yong Feng Xia, to request a special permit to demolish an existing residence on a nonconforming lot and reconstruct a new single-family home measuring approximately 4,200 square feet which will exceed the area of the original structure at 69 Butler Road.

Mr. Stevenson noted for the record that the Board was in receipt of an e-mail from David Noyes dated July 9, 2013 which included a landscaping plan. In summary Mr. Noyes included in the plan the amount of existing screening and it was his intent to leave the existing screening as is except for the removal of some storm-damaged trees. He did reach out to abutters via mail and noted that there was no feedback from neighbors about the project other than the Donnellens at 79 Butler Road. He reported that he met with Mr. Donnellen at the property and Mr. Donnellen appeared satisfied with the plans. Mr. Noyes explained that brush removal did occur at 69 Butler Road and brush had been placed on the property line between the site and Mr. Donnellen's property which could have given the appearance that brush was removed on Mr. Donnellen's property.

Mr. O'Brien asked Mr. Noyes how the plans had changed to accommodate Mr. Donnellen's needs. Mr. Noyes said that there were no changes to the plans. Mr. Donnellen had been concerned about an infringement on his rights as a property owner but when it was shown that there had not been brush removal at 79 Butler Road Mr. Donnellen was fine with the plans for screening moving forward.

For clarification Mr. Gossels asked whether the landscape proposal was therefore to not enhance screening. Mr. Noyes said that was correct. Mr. Stevenson said that it was evident that additional screening was not needed. Mr. Klofft and Mr. Gossels agreed but felt that it was important to have the plan on record.

A brief discussion ensued about the front setback which everyone agreed was approximately sixty-six feet and sufficient.

No abutters were present to express concerns. As there were no further questions from the Board or audience, the hearing was closed.

CASE 13-11 Yong Feng Xia 69 Butler Road

The following motion was placed and seconded:

MOTION: "To grant Yong Feng Xia, applicant, and Bin Zhao, owner, a Special Permit under the provisions of Section 2460B of the Zoning Bylaws, to allow reconstruction of an existing residence not to exceed  $4,200 \pm$  square feet on a nonconforming lot, which will exceed the area of the original structure, property located at 69 Butler Road, Residential Zone A-1, subject to the following:

- 1. The new house will be constructed in the location as shown on the Preliminary Site Plan prepared by Bruce Saluk and Associates, Inc. dated April 23, 2013 that is incorporated into and made part of this Special Permit.
- 2. The septic system will be constructed in the front of the house in the location shown on the proposed septic system prepared by Bruce Saluk and Associates, Inc. dated June 5, 2013 that is incorporated into and made part of this Special Permit.
- 3. The applicant agrees to adhere to the screening plan dated July 8, 2013 that is incorporated into and made part of this Special Permit.
- 4. This Special Permit shall lapse if construction has not begun, except for good cause, within twelve (12) months following the filing of the Special Permit approval, plus such time required to pursue or await the determination of an appeal under M.G.L., Chapter 40A, Section 17.
- 5. Construction must be completed no later than one year after commencement."

VOTED: In favor: 5 Opposed: 0

REASONS: The petitioner requires a special permit due to the nonconforming nature of the property. The Board finds that the proposed reconstruction will not be substantially more detrimental to the neighborhood than the existing nonconforming structure and, after engaging in discussions with the abutting neighbors about the proposed screening plans, the applicant had their support. The Board felt that the new house would be compatible with the surrounding homes in the neighborhood.

Benjamin D. Stevenson, Chair

Jonathan G. Gossels

Jonathan F.X. O'Brien, Clerk

Elizabeth T. Quirk

CASE 13-9 and 13-10 Herb Chambers of Sudbury, Inc. DBA Jaguar Sudbury 83 Boston Post Road

#### MINUTES OF THE PUBLIC HEARING SUDBURY BOARD OF APPEALS Monday, July 15, 2013

The Board consisted of: Benjamin D. Stevenson, Chair; Jonathan F.X. O'Brien, Clerk; Jonathan G. Gossels; Jeffrey P. Klofft; and Elizabeth T. Quirk.

Mr. Stevenson, as Chair, re-opened the hearing for ZBA Cases13-9 and 13-10, 83 Boston Post Road, as continued from June 17, 2013. He then explained the requirements necessary to substantiate the granting of a Special Permit and Dimensional Variance. He explained that if anyone is not satisfied with the Board's decision, they have the right to appeal to Superior Court or Land Court within twenty days after the decision has been filed with the Town Clerk, and that possible other appeals may exist under current law.

Attorney Joshua Fox, of Rollins, Rollins & Fox, was present along with Peter O'Callahan, Construction and Facilities Director for Herb Chambers, to discuss proposals for a Special Permit for wall signage and a Dimensional Variance to construct a portico that would encroach into the front yard setback at the Jaguar Sudbury dealership at 83 Boston Post Road.

Mr. Fox said that the original proposal submitted to the Board on April 24, 2013 had been modified significantly after feedback from the Sudbury Design Review Board. A new submission dated June 17, 2013 was received by the Board of Appeals on July 5, 2013. Exterior cladding would be Allucabond rather than EIFS. Allucabond was used over at the Herb Chambers BMW dealership in Sudbury. Mr. Fox showed color samples in oyster tones for the elevation with window trim being slightly darker. The exposed foundation on the Land Rover side would be comprised of a stone veneer.

Mr. Fox said that the leaping jaguar sculpture proposed for the top of the portico had been eliminated. In lieu of the sculpture a half-leaper jaguar image would be installed directly on the portico as part of the signage. This modification reduces the encroachment into the front yard setback by several feet.

The proposed fascia board height on the front elevation has also been decreased for consistency. The proposed "Service" sign has been eliminated. The proposed "Sudbury" sign has been relocated and the accent bar has also been eliminated. Land Rover/Range Rover signs on the existing tower have been lowered for consistency with prior approval.

Mr. Fox reminded the Board that he had appeared before the ZBA previously for sign approvals for the Land Rover dealership.

Mr. Fox said that Jaguar has requested of Herb Chambers a certain design to go with their brand and image. The DRB wanted changes so the plan as proposed became a collaboration between the DRB and Jaguar.

Mr. Fox explained that the portico would now be a twenty-foot wide bow-front, or semi-circular-shaped projection above grade which would require encroaching less than five feet into the front setback. He said that at grade-height the portico encroachment would essentially measure two and a half feet.

CASE 13-9 and 13-10 Herb Chambers of Sudbury, Inc. DBA Jaguar Sudbury 83 Boston Post Road

In regard to the portico placement Mr. Fox said that approximately fifteen percent of the lot was developable due to the presence of wetlands so the only place to build anything is at the front of the site. He said that there should not be any detriment to the neighboring properties and suggested that the encroachment was minor.

The Board discussed the Dimensional Variance first (Case 13-10). Mr. Stevenson said that in his view the substantial hardship case for granting the variance was because Jaguar Corporate wanted the design and basically issued a mandate to Herb Chambers that the design would happen or the franchise agreement between Jaguar and Herb Chambers would have to change. Design constraints were therefore an issue for Herb Chambers. Mr. Fox said that Jaguar wanted the portico with the leaping Jaguar because it defined the Jaguar image for selling that brand of cars.

Mr. Klofft agreed that Herb Chambers had a defensible hardship. Mr. Gossels added that Herb Chambers is an existing business in Sudbury and there are varied building treatments in the adjoining district. He also noted that the wetlands contribute to the hardship.

Mr. O'Brien asked whether traffic flow would be changed at the site. Mr. Fox said that there would be no modifications to traffic because that would require additional curb cuts on Boston Post Road.

In regard to the special permit request for the Jaguar wall signage Mr. Gossels said that he was pleased that Herb Chambers had worked closely with the Design Review Board and he felt that the design was improved over the original application. He then asked about lighting of the sign. Mr. O'Callahan said that the Jaguar sign on the portico would have halo lighting and the half leaper would be lit from behind.

No abutters were present to express concerns. As there were no further questions from the Board or audience, the hearing was closed.

The following motion was placed and seconded:

#### Case Number 13-9

MOTION: "To grant Herb Chambers of Sudbury, Inc., DBA Jaguar Sudbury, applicant, and Land Rover MetroWest, LLC, owner, a Special Permit under the provisions of Section 3290 of the Zoning Bylaws, to allow approximately 100 square feet of wall signage including 86 square feet of previously approved signage which exceeds the allowances set forth in the Bylaw, property located at 83 Boston Post Road, Industrial District #4, provided that

1. The wall signage will be installed in the locations as shown on the proposed sign plan dated June 17, 2013, prepared by Regent Associates, Inc., which are incorporated into and made part of this Special Permit."

#### Case Number 13-10

MOTION: "To grant Herb Chambers of Sudbury, Inc., DBA Jaguar Sudbury, applicant, and Land Rover MetroWest, LLC, owner, a Dimensional Variance pursuant to Sections 2644 and 6130 of the Zoning Bylaws to construct a portico which will encroach no more than five (5) feet into the front yard setback, property located at 83 Boston Post Road, Industrial District #4."

CASE 13-9 and 13-10 Herb Chambers of Sudbury, Inc. DBA Jaguar Sudbury 83 Boston Post Road

REASONS: The petitioners require a Dimensional Variance to construct a portico along the front of the business which will encroach upon the required setback. The Board finds that the petitioner has satisfied the criteria for granting a Dimensional Variance under Section 6130 of the Zoning Bylaws. Specifically, under Section 6131, special conditions relating to the soil conditions, shape, or topography of the land or structures thereon, the Board understood that there is only a small percentage of the lot that is buildable due to the presence of wetlands so the front of the building is the only place where this portico could go. In addition the proposed portico would be an extension of an existing building so to modify the entire structure to find an alternative location for the portico would impose a hardship for the applicants.

Under Section 6132 an additional hardship for the owner, Herb Chambers of Sudbury, is that the proposed design alterations are being imposed upon the applicant by the Jaguar Franchise. It was the applicant's understanding that if the design did not move forward then the franchise agreement would change and that could mean a financial hardship for Herb Chambers.

Under Section 6133 there is no substantial detriment to the public good if the portico is built given that the adjoining districts are comprised of a variety of building styles. No abutters were present to express concerns over the design of the building.

For the above reasons, under Section 6134 it is the opinion of the Board that the granting of this dimensional variance will not nullify or substantially derogate from the intent or purpose of the Bylaw.

Benjamin D. Stevenson, Chair

Jonathan G. Gossels

Jonathan F.X. O'Brien, Clerk

Elizabeth T. Quirk

## CASE 13-18 Robert Haworth 39 Candy Hill Lane

## MINUTES OF THE PUBLIC HEARING SUDBURY BOARD OF APPEALS Monday, July 15, 2013

The Board consisted of:

Benjamin D. Stevenson, Chair; Jonathan F.X. O'Brien, Clerk; Jonathan G. Gossels; Jeffrey P. Klofft; and Elizabeth T. Quirk.

Notice was published in the *Sudbury Town Crier* on June 27 and July 4, 2013, posted, mailed and read at this hearing.

Mr. Stevenson, as Chair, opened the hearing. He then explained the requirements necessary to substantiate the granting of a Special Permit. He also explained that if anyone is not satisfied with the Board's decision, they have the right to appeal to Superior Court or Land Court within twenty days after the decision has been filed with the Town Clerk, and that possible other appeals may exist under current law.

Paul Spurling and Stacey Oakley of Spurling Thomas were present on behalf of Applicant Robert Haworth to request a special permit to allow an addition measuring approximately 1,346 gross square feet to an existing residence which will result in a front yard setback deficiency of approximately five and a half feet at property located at 39 Candy Hill Road.

Mr. Spurling explained that the existing antique house is a mix of post and beam construction. The area on the east side along Candy Hill Lane was the proposed location for the post and beam addition. He explained that the driveway and septic system are located on the other side of the house in the area leading toward the barn so an addition could not be placed on that side. He said that in the design of the addition they worked hard to keep things as tight as possible to the required setback. While Candy Hill Lane is a private lane and not a major road the setback requirement is still forty feet on that side of the house.

A discussion ensued among the Board about whether the request should have been for a variance or whether, in fact, a special permit should be sought. Sudbury Building Inspector Mark Herweck said that he initially had thought that the applicant should submit a request for a variance, however in a subsequent e-mail dated June 21, 2013 he explained that the certified plot plan dated June 13, 2013 as submitted by the applicant confirmed that the building is nonconforming due to the porch that is part of it and therefore a special permit is appropriate.

Mr. Klofft was still unsure that it was not a case for a variance. He felt that the substantial hardship could be the nature of the building. Further discussion ensued with the Board referring to the Town's Bylaws.

Mr. Stevenson asked whether any neighbors wished to speak about the proposal. No neighbors were present.

Mr. Gossels asked whether the addition was one- or two-stories. Mr. Spurling said that the addition would be two-story but from the street view it would read as a single story with cathedral ceiling space.

CASE 13-18 Robert Haworth 39 Candy Hill Lane

Mr. Stevenson said he felt that the plan was well-thought out and noted that there were no neighbors who had expressed any concerns about the project. He felt that the addition was creating a minor situation. He also added that there was a prior nonconformity due to the porch.

The Board asked whether the addition could possibly be made smaller. Mr. Spurling explained that the project at this particular historic property was taking place in order to extend the existing kitchen so that it could be updated to accommodate the homeowner's needs. He said that his firm was trying to work within the confines of the antique home which has several posts to work around. The main part of the addition would contain a family room. If the family room were pushed back any farther it would render it inaccessible to the rest of the house. Likewise if the family room were made smaller the homeowner's furnishings would not fit well within it. The family room is approximately 22 by 24 feet and it will have a fireplace. He also added that the upstairs and downstairs configurations need to correspond with one another.

Mr. Spurling said that he had met with the Historic Districts Commission which approved of the plans. His overall goal was to maintain the historic nature of the house.

Given that the HDC had given approval for the project and the encroachment was minor and not impacting director abutters the Board came to an agreement that a special permit was appropriate.

As there were no further questions from the Board or audience, the hearing was closed.

The following motion was placed and seconded:

MOTION: "To grant Robert Haworth, applicant, and Pierre and Joyce Fricke, owners, a Special Permit under the provisions of Section 2420 of the Zoning Bylaws, to allow an addition measuring approximately 1,346 gross square feet to an existing residence which will result in a front yard setback deficiency of approximately five and a half feet, property located at Candy Hill Road, Residential Zone C-1, subject to the following:

- 1. The new house will be constructed in the location as shown on the proposed Certified Plot Plan prepared by Thomas Land Surveyors dated June 13,2013 that is incorporated into and made part of this Special Permit.
- 2. This Special Permit shall lapse if construction has not begun, except for good cause, within twelve (12) months following the filing of the Special Permit approval, plus such time required to pursue or await the determination of an appeal under M.G.L., Chapter 40A, Section 17.
- 3. Construction must be completed no later than one year after commencement."

VOTED: In favor: 5 (Unanimous) Opposed: 0

REASONS: The petitioner requires a special permit due to the nonconforming nature of the structure. The Board finds that the proposed addition will not be substantially more detrimental to the neighborhood than the existing nonconforming structure. Given that the applicant had the support of Sudbury's Historic Districts Commission and would be maintaining the historic nature of the property, the Board therefore approved the special permit.

CASE 13-18 Robert Haworth 39 Candy Hill Lane

Benjamin D. Stevenson, Chair

Jonathan G. Gossels

Jonathan F.X. O'Brien, Clerk

Elizabeth T. Quirk

CASE 13-19 Matthew Williams/Crown Castle 292 Maynard Road (Willis Hill Water Tank)

## MINUTES OF THE PUBLIC HEARING SUDBURY BOARD OF APPEALS Monday, July 15, 2013

The Board consisted of:

Benjamin D. Stevenson, Chair; Jonathan F.X. O'Brien, Clerk; Jonathan G. Gossels; Jeffrey P. Klofft; and Elizabeth T. Quirk.

Notice was published in the *Sudbury Town Crier* on June 27 and July 4, 2013, posted, mailed and read at this hearing.

Mr. Stevenson, as Chair, opened the hearing. He then explained the requirements necessary to substantiate the granting of a Special Permit. He also explained that if anyone is not satisfied with the Board's decision, they have the right to appeal to Superior Court or Land Court within twenty days after the decision has been filed with the Town Clerk, and that possible other appeals may exist under current law.

Jeff Barbadora was present on behalf of the applicant, Matt Williams of Crown Castle, to request a renewal of Special Permit 07-64 for the continued operation of a wireless communications facility consisting of a 100-foot monopole and associated equipment at property located at 292 Maynard Road (Willis Hill Water Tank).

Mr. Stevenson asked Mr. Barbadora whether there were any events of note that had occurred at the site since its installation. Mr. Barbardora said that the 100 foot stealth pole was installed in 2008. There have been regular inspections by engineers since then with no issues found. The latest visual inspection was conducted on June 19, 2013. The base plates, bolts, and stealth pole were deemed in good shape. He gave a copy of the report to the ZBA for the files.

The Board then discussed a duration for the renewal. The Board agreed upon five years to ensure that the pile remains in good condition.

As there were no further questions from the Board or audience, the hearing was closed.

The following motion was placed and seconded:

MOTION: "To grant Matthew Williams/Crown Castle, applicant, and Sudbury Water District, owner, a renewal of Special Permit 07-64 for the continued operation of a wireless communications facility consisting of a 100-foot monopole and associated equipment, property located at 292 Maynard Road Road (Willis Hill Water Tank), Residential Zone A-1, subject to the following:

- 1. Installation shall consist of a 3-carrier capability monopole in accordance with plans titled Willis Hill Water Tank, Site No. 4BS-0635-D, Sheets T-1, C-1, C-2 & Z-1, dated 12/20/06, prepared by Chappell Engineering Associates, LLC, Concord, MA.
- 2. Access to the facility shall be consistent with the access utilized by the existing carriers.

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- 3. Removal of large screening during construction will not be allowed except for that which is needed to be removed for the placement of the facility. Following construction, the Applicant will replace needed screening to insure there will be no increased visual impact as a result of the installation.
- 4. Fencing material for the compound shall consist of an opaque material.
- 5. Annual inspection of the battery back-up system is required to insure proper operation.
- 6. No flag will be flown at the top of the pole.
- 7. No lighting on the pole will be allowed unless required by the FAA.
- 8. If required, Crown Castle shall allow a future co-locator to construct a shelter structure capable of enclosing that locator's equipment in addition to Crown Castle's ground electronic equipment.
- 9. Site plan review by the Selectmen is required.
- 10. The approval granted herein shall expire in five (5) years on July 15, 2018. Continued operation of the facility shall be subject to application for and renewal by the Board of Appeals."

VOTED: In favor: 5 (Unanimous) Opposed: 0

REASONS: The petitioner seeks renewal for continued wireless communications operation. This site has been in operation for the past five years without incident and inspections show that the pole is in good condition. The Board finds that a five-year renewal term is appropriate.

Benjamin D. Stevenson, Chair

Jonathan G. Gossels

Jonathan F.X. O'Brien, Clerk

Elizabeth T. Quirk

## CASE 13-20 GAPCO, LLC 10 Lynne Road

## MINUTES OF THE PUBLIC HEARING SUDBURY BOARD OF APPEALS Monday, July 15, 2013

The Board consisted of:

Benjamin D. Stevenson, Chair; Jonathan F.X. O'Brien, Clerk; Jonathan G. Gossels; Jeffrey P. Klofft; and Elizabeth T. Quirk.

Notice was published in the Sudbury Town Crier on June 27 and July 4, 2013, posted, mailed and read at this hearing.

Mr. Stevenson, as Chair, opened the hearing. He then explained the requirements necessary to substantiate the granting of a Special Permit. He also explained that if anyone is not satisfied with the Board's decision, they have the right to appeal to Superior Court or Land Court within twenty days after the decision has been filed with the Town Clerk, and that possible other appeals may exist under current law.

Peter Bemis of GAPCO, LLC was present to request a Special Permit to allow reconstruction of an existing residence measuring no greater than 3,400 square feet on a nonconforming lot which will exceed the area of the original structure at property located at 10 Lynne Road.

Mr. Bemis explained that the property measured approximately a half-acre within a circa 1955 subdivision. Therefore it was a preexisting nonconforming lot. The proposed house falls within the allowed setbacks on all sides. Soil testing has been done at the site and the septic system will be replaced. The Board of Health has given approval for the project. Mr. Bemis said that the current house has standing water in the basement and there had been a fire in the building at one point. Given that there is no way to save the existing structure the new home will be new construction.

When asked about the height of the house Mr. Bemis said that it was twenty-nine feet high. The new structure would be no greater than 3,400 square feet. For comparison the existing structure measures approximately 2,000 square feet with four bedrooms and no garage.

The Board then discussed the setback of 41.9 feet which all agreed would read more like sixty feet. The house would be centered on the lot.

Mr. Stevenson asked whether any neighbors from the audience wished to speak about the proposal.

An unidentified person from the audience said that the neighborhood is comprised of cape-style homes. She was concerned with the proposed colonial-style residence. Mr. Bemis said that the goal is not to change the character of the neighborhood.

Chris Goff and Stefanie Hafford, 18 Lynne Road, were present to confirm that the new house would not loom over their house since it was going to increase in size. Mr. Stevenson noted that the height of the house is well-below the maximum height allowed in the Bylaws.

Mr. O'Brien asked whether any trees would be removed for construction. Mr. Bemis said that the tree line would remain along the sides of the property. Mr. Gossels mentioned that during a recent tear-down

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approval a condition was included to ensure that street trees would be planted. Mr. Bemis said that he would plant street trees.

Ellen Jones, 15 Lynne Road, asked about construction trucks. The Board discussed adding conditions as to the time when construction could happen on certain days which conforms to the noise Bylaw.

Ms. Jones noted that another house in the neighborhood is under foreclosure. She asked if the Board took that into consideration when approving new structures. Mr. Stevenson said that it is the trend for property owners to build larger homes today and this is happening throughout Sudbury and other surrounding towns. Mr. Klofft said that the Board does look at the context of the neighborhood when contemplating proposed new construction, however he considered this reconstruction to be modest.

Julia Crosby asked about the timing of construction. Mr. Bemis estimated that the process could take up to five months.

Ms. Jones asked about the location of the driveway. Mr. Bemis said that the new drivway would be located in approximately the same place as it was currently.

Ms. Hafford noted that there were several endangered species of plants on the property that the past owner had made her aware of. She wondered whether the applicant would be working with an institution such as Garden In the Woods to recover some of those plants. Mr. Bemis said that he would pass along to the applicant Ms. Hafford's contact information to that an arrangement could be worked out so that either Ms. Hafford or a contact from Garden In the Woods could harvest the plants prior to construction.

As there were no further questions from the Board or audience, the hearing was closed.

The following motion was placed and seconded:

MOTION: "To grant GAPCO, LLC, applicant and owner, a Special Permit under the provisions of Section 2460B of the Zoning Bylaws, to allow reconstruction of an existing residence not to exceed 3,400 square feet on a nonconforming lot, which will exceed the area of the original structure, property located at 10 Lynne Road, Residential Zone A-1, subject to the following:

- 1. The new house will be constructed in the location proposed Site Development Plan prepared by Engineering Design Consultants,Inc. dated June 17, 2013 that is incorporated into and made part of this Special Permit.
- 2. Existing vegetation to the sides and rear of the residence will not be disturbed.
- 3. The applicant agrees to plant street trees with a caliper of 2" in diameter at breast height no less than forty (40) feet on center along the entire frontage of the property.
- 4. To alleviate excessive noise generated from the site construction activities on weekdays may take place between the hours of 7:00 a.m. and 6:00 p.m. and on Saturdays between 9:00 a.m. and 5:00 p.m. There may be no construction vehicles operating on Sundays.

# CASE 13-20 GAPCO, LLC 10 Lynne Road

- 5. This Special Permit shall lapse if construction has not begun, except for good cause, within twelve (12) months following the filing of the Special Permit approval, plus such time required to pursue or await the determination of an appeal under M.G.L., Chapter 40A, Section 17.
- 6. Construction must be completed no later than one year after commencement."

VOTED: In favor: 5 (Unanimous) Opposed: 0

REASONS: The petitioner requires a special permit due to the nonconforming nature of the property. The Board finds that the proposed reconstruction will not be substantially more detrimental to the neighborhood than the existing nonconforming structure. Several abutting neighbors were present at the hearing to voice their views. Conditions were imposed to alleviate concerns. The Board felt that the new house would be compatible with the surrounding homes in the neighborhood.

Benjamin D. Stevenson, Chair

Jonathan G. Gossels

Jonathan F.X. O'Brien, Clerk

Elizabeth T. Quirk