

**MINUTES OF PUBLIC HEARING
HELD BY THE ZONING BOARD OF APPEALS
LINCOLN CENTER HEARING ROOM
FEBRUARY 4, 2009**

MEMBERS PRESENT: James Stevenson, Chair
Kathleen Maffe, Vice Chair
Albert Gionet, Secretary
Mark Connors

ALTERNATES PRESENT: Edward Slegeski (sitting)
Paul Harnois
Armando Darna

ABSENT: Robert Schneider

ALSO PRESENT: James Davis, Zoning Enforcement Officer
Renata Bertotti, Senior Planner
Ginger MacHattie, Recording Secretary

The Chair opened the Public Hearing at 7:00 p.m. The Secretary read the legal notice for the application when the call was made.

ANDREW MAROCCHINI – Application #2392 – request a variance to Article II Section 10.01.05(d) to permit a residential unit to occupy two stories within the structure at 405-407 Center Street, Business II zone.

Andrew Marocchini, 10 Blackledge Drive, Marlborough, owns the property at 405-407 Center Street and originally approached the Town to make the third floor of this property a separate apartment. After discussions with Town representatives, he found that this is not financially viable. The third floor of his building has always been used as living space. He requested a variance to obtain formal approval of using the third floor in conjunction with the second floor apartment.

In response to a question from Ms. Maffe, Mr. Marocchini stated there will be no additional vehicle parking needed. Everything will remain the same; he is just attempting to make his current arrangement legal.

Chairman Stevenson asked anyone wishing to speak in favor of or in opposition to the application to come forward. As no one came forward, the chairman closed the public hearing on this item.

Ms. Bertotti explained that the applicant met with Town staff, the Assistant Building Official, and the Deputy Fire Chief to discuss the third story renovations. Following the meeting the applicant failed to apply for building and zoning permits. The Assistant Building Official has since determined that the changes made to the third floor meet building codes. The Fire Marshal had additional questions that will be answered through the normal review process.

EAST CATHOLIC HIGH SCHOOL – Application #2393 – request a variance to Article II Section 1.03.04(a) to install an accessory structure 24.5’ in height (18’ permitted) at 105 & 115 New State Road, Rural Residence zone.

Tom Malin, Athletic Director at East Catholic High School, explained that the school received a \$25,000 donation for a scoreboard. He is requesting a variance due to the size of the scoreboard. Mr. Malin displayed a picture of how the field would look with the scoreboard installed. The scoreboard will sit in right field. The fence surrounding the field is 10’ in height.

Chairman Stevenson asked anyone wishing to speak in favor of or in opposition to the application to come forward. As no one came forward, the chairman closed the public hearing on this item

Ms. Bertotti explained that in a residential zone accessory structures cannot exceed 18’. The school is located within a residential zone. The scoreboard will sit far into the field, surrounded by vegetation and will not be visible from surrounding properties. There are no outstanding technical comments.

YANKEE RESTORATION & REMODELING – Application #2394 – request a variance to Article II Section 2.01.01 to reduce the side yard setback to 12’ (15’ required) at 94 Woodside Street, Rural Residence zone.

Michael Einsiedel, 173 Long Hill, Andover, explained that the property currently has a one car garage. His parents are getting older and would like a carport to keep snow and ice off of their vehicle. The carport will have three posts with a roof and a stone floor, and will tie into the garage. It will have architectural shingles and cedar shakes for the gable end.

Chairman Stevenson asked anyone wishing to speak in favor of or in opposition to the application to come forward. As no one came forward, the chairman closed the public hearing on this item.

Ms. Bertotti said there are no outstanding staff comments.

The Chair closed the public hearing portion of the meeting at 7:13 p.m.

I certify these minutes were adopted on the following date:

Date

James Stevenson, Chair

NOTICE: THE CASSETTE TAPE RECORDING OF THIS PUBLIC HEARING CAN BE HEARD IN THE PLANNING DEPARTMENT.

OFFICIAL TAPE NO: 505

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