



TOWN OF AVON, MASSACHUSETTS

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BUCKLEY CENTER, Avon, MA 02322

Telephone: 508-588-0414

BOARD OF APPEALS - PUBLIC HEARING MINUTES

CASE #9-8 297 West Main Street, Avon, Massachusetts

Petitioner: Ms. Christine Giannano

and

CASE #9-9 93 Memorial Drive, Avon, Massachusetts

Petitioner: Ms. Virginia Olsen

The Public Hearing was called to order at 8:05 p.m. by acting Chairman, Charles Comeau. Chairman Peter Crone was absent from the meeting.

The Public Hearing is the result of the Petition of Ms. Christine Giannano, Case #9-8 and Ms. Virginia Olsen, Case #9-9.

The following were present:

Appeal Board Members-Charles Comeau, Gerald Picardi, Edward Mekjian, Robert Brady, Jr.

Visitor's Forum- Ms. Christine Giannano, Ms. Virginia Olsen, Mr. Joseph Proudak, Ms. Linda Mann, and Mr. Earl Mann.

The members of the board and visitors introduced themselves and the board noted that the Public Hearing Notice(s) had appeared in the Moneysaver Publication on Wednesdays, June 24th and July 1st, in the Legal Notice sections.

CASE #9-8 – 297 West Main Street, Avon, Massachusetts

All business conducted regarding this Petition will here and forever be known as Town of Avon, Board of Appeals Case #9-8; and Ms. Christine Giannano, will be referred to as the “**Petitioner**”. The **Town of Avon Board of Appeals** will conduct Public Hearings at the Town Hall in the Planning Board Office at Buckley Center, Avon, Massachusetts on **Monday July 6, 2009 @ 7:30 p.m.**, to consider a petition to vary the terms of the Zoning By-Laws of the Town of Avon, Acts of 1977 (as amended), and further specified, or any limitation, extension, change, alteration or modification of use, or method of use as may at hearings appear as necessary or proper in the premises:

PLAN/DETAILS FOR PROPOSED PROJECTS AND FURTHER INFORMATION ARE AVAILABLE FOR INSPECTION, REVIEW AND INFORMATION AT THE TOWN CLERK'S OFFICE AT TOWN HALL, Buckley Center, Avon, MA. Call Town Hall at 508-588-0414 for hours of operation.

Case#9-8; Ms. Christine Giannino requests relief in the form of a Variance to the requirements of Section 6-4, "Dimensional and Density Regulations Table" of the Avon Zonigh By-Laws. The property located at 297 West Main Street.

* Copy of Notice to Abutters (as certified by the Town of Avon Board of Assessors). Notice is hereby given as mandated by the Laws governing the conduct of Public Hearings and the Board of Appeals (General Laws, Chapter 40A, Section 11). Town Clerk V. Jean Kopke, Town Accountant, Town Administrator Michael McCue, Board of Selectmen, Board of Assessors, Building Inspector Robert Borden, Planning Board, Water Commission, Board of Health, Conservation Commission, Board of Appeals Members.

The Board of Appeals further advised the attendants that all abutters, as certified by the Town Board of Assessors, to the property located at 297 West Main Street (Map C5-11-10), Avon, Massachusetts and concerned parties had been notified of the intent of this hearing. All the requirement had been met with reference to notifications, publications, and postings, as mandated by Laws Governing the action of Public Hearings and the Board of Appeals (*Massachusetts General Laws, Ch. 40A § 11*); and, Town of Avon Board of Appeals Procedures for Applicant(s)/Petitioner(s), effective January 1, 2001.

The Board of Appeals advised the attendees of the format of the Public Hearing as follows:

1. Petitioner's Presentation
 2. Comments, Open Discussion, Questions and Answers
 3. Decision and Vote of the Board of Appeals
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1. Petitioner's Presentation: The Chair recognized the Petitioner, Ms. Christine Giannano who presented her plan of the proposed project as it would appear with the construction of a roof on an existing deck that was extended approximately two (2) feet longer to the corner of the house.
If approved the proposed extension to the deck and roof would require a variance per § 6-4 "Dimensional and Density Regulations Table the property located at 297 West Main Street. Blueprints of the proposed project were submitted and reviewed by the Board of Appeals.
 2. Comments, Open Discussion, Questions and Answers: The Board of Appeals asked for clarification of the submitted blueprint plan with reference to the two (2) foot extension of the deck. The Petitioner stated that the deck would come to the meet the corner or edge of the house and the deck roof would be completed.

3. Decision and Vote of the Board of Appeals: Gerald Picardi made a motion for finding to grant relief per § 6-4 "Dimensional and Density Regulations Table" the property located at 297 West Main Street to construct a two (2) foot extension of the deck and roof over the deck, seconded by Robert Brady, Jr. All in favor.

VOTED: to grant the Variance, as stipulated.

CASE #9-9 93 Memorial Drive, Avon, Massachusetts

All business conducted regarding this Petition will here and forever be known as Town of Avon, Board of Appeals Case #9-9; and Ms. Virginia Olsen, will be referred to as the "**Petitioner**". The **Town of Avon Board of Appeals** will conduct Public Hearings at the Town Hall in the Planning Board Office at Buckley Center, Avon, Massachusetts on **Monday July 6, 2009 @ 7:30 p.m.**, to consider a petition to vary the terms of the Zoning By-Laws of the Town of Avon, Acts of 1977 (as amended), and further specified, or any limitation, extension, change, alteration or modification of use, or method of use as may at hearings appear as necessary or proper in the premises:

PLAN/DETAILS FOR PROPOSED PROJECTS AND FURTHER INFORMATION ARE AVAILABLE FOR INSPECTION, REVIEW AND INFORMATION AT THE TOWN CLERK'S OFFICE AT TOWN HALL, Buckley Center, Avon, MA. Call Town Hall at 508-588-0414 for hours of operation.

Case#9-9; Ms. Virginia Olsen requests relief in the form of a Variance to the requirements of Section 6-4, "Dimensional and Density Regulations Table" of the Avon Zonigh By-Laws. The property located at 93 Memorial Drive.

* Copy of Notice to Abutters (as certified by the Town of Avon Board of Assessors). Notice is hereby given as mandated by the Laws governing the conduct of Public Hearings and the Board of Appeals (General Laws, Chapter 40A, Section 11). Town Clerk V. Jean Kopke, Town Accountant, Town Administrator Michael McCue, Board of Selectmen, Board of Assessors, Building Inspector Robert Borden, Planning Board, Water Commission, Board of Health, Conservation Commission, Board of Appeals Members.

The Board of Appeals further advised the attendants that all abutters, as certified by the Town Board of Assessors, to the property located at 93 Memorial Drive (Map D3-11-5), Avon, Massachusetts and concerned parties had been notified of the intent of this hearing. All the requirement had been met with reference to notifications, publications, and postings, as mandated by Laws Governing the action of Public Hearings and the Board of Appeals (*Massachusetts General Laws, Ch. 40A § 11*); and, Town of Avon Board of Appeals Procedures for Applicant(s)/Petitioner(s), effective January 1, 2001.

The Board of Appeals advised the attendees of the format of the Public Hearing as follows:

1. Petitioner's Presentation
2. Comments, Open Discussion, Questions and Answers
3. Decision and Vote of the Board of Appeals

1. Petitioner's Presentation: The Chair recognized the Petitioner, Ms. Virginia Olsen and Mr. Joe Proudeck, Contractor who presented the plan on behalf of Ms. Olsen. The plan of the proposed project as it would appear with the demolition and reconstruction of an existing 11 ½' x 13' deck and extend the deck with a 7' x 12' L-shaped extension. It is Mr. Proudeck's understanding that the house is in a business district and believes the change would not be detrimental to the neighborhood and would not change the residential nature of the house. Blueprints of the proposed project were submitted and reviewed by the Board of Appeals.

2. Comments, Open Discussion, Questions and Answers: The Board of Appeals asked for clarification of the submitted blueprint plan with reference to the location of the deck which will be extended to the end of the house and the stairs would be placed directly out to the backyard. It was noted that there was an access to a crawl space but it was only a crawl space and the basement had separate access, the position of the septic system was also noted that it was not near the area for the proposed deck.

3. Decision and Vote of the Board of Appeals: Gerald Picardi made a motion for finding to grant relief per § 6-4 "Dimensional and Density Regulations Table" pertaining to the side lot relief, lot size and frontage, the property located at 93 Memorial Drive to demolish and rebuild an existing 11 ½' x 13' deck and extend the deck with a 7' x 12' L-shaped extension, seconded by Rober Brady, Jr. All in favor.

VOTED: to grant the Variance, as stipulated.

OTHER: Ms. Linda Mann, 42-44 East Main St., a prior petitioner who was denied for non-attendance, requested information in regard to a new application. The Board of Appeals explained the application process for her future reference.

ADJOURNMENT: Motion was made by Charles Comeau to adjourn the Hearing known as Board of Appeals Case #9-8 and Case #9-9 at 9:20 P.M. Motion was seconded by Gerald Picardi and it was unanimous.

Approved by:

Approved by:
