



TOWN OF TEWKSBURY ZONING BOARD OF APPEALS

999 Whipple Road
Tewksbury, MA 01876

Robert Dugan, Chairman
Leonard Dunn, Vice Chair
Marc DiFruscia, Clerk
Associate Members:
Gerald Kutcher
Jamie Doherty

DEPARTMENT OF COMMUNITY DEVELOPMENT

MEETING MINUTES April 24, 2014

The meeting was called to order at 6:30 p.m. by Robert Dugan, Chairman, at the Pike House (Temporary Tewksbury Town Hall). Present at the meeting were Gerald Kutcher and Jamie Doherty. Also in attendance was Edward Johnson, Building Commissioner, and Melissa Johnson, Recording Secretary.

Marc DiFruscia and Len Dunn were not present.

Approval of Meeting Minutes – February 27, 2014

MOTION: Mr. Kutcher made the motion to approve the February 27, 2014 meeting minutes as presented; seconded by Ms. Doherty and the motion carried 3-0.

CONTINUED HEARING

GRE Tewksbury Property, LLC and GRE Tewksbury Apartments, LLC d/b/a Shawsheen Place for (a) a determination and confirmation pursuant to 760 CMR 56.05 (11) that the affordability “lock in period” set forth in the Comprehensive Permit issued by the Board on May 26, 1988 regarding the subject property has expired; and (b) modification of the Comprehensive Permit to address the affordability restriction. Said property is located at **11 Old Boston Road**, Assessor’s Map 48, Lot 33, zoned multifamily, commercial and Village Mixed Use Overlay Districts.

The applicant has requested to continue this matter to May 29, 2014 as they continue to have discussions with town officials.

MOTION: Mr. Dunn made the motion to continue **GRE Tewksbury Property, LLC and GRE Tewksbury Apartments, LLC d/b/a Shawsheen Place** for (a) a determination and confirmation pursuant to 760 CMR 56.05 (11) that the affordability “lock in period” set forth in the Comprehensive Permit issued by the Board on May 26, 1988 regarding the subject property has expired; and (b) modification of the Comprehensive Permit to address the affordability restriction. Said property is located at **11 Old Boston Road**, Assessor’s Map 48, Lot 33, zoned multifamily, Commercial and Village Mixed Use Overlay Districts to **May 29, 2014 at 6:30 p.m.**; seconded by Mr. Kutcher and the motion carried 3 0.
DUGAN, KUTCHER, DOHERTY

NEW HEARING

John Berube for Michael and Christian Panasuk for a variance from Section 3511 and Section 4143 of the Tewksbury Zoning Bylaw to construct a 32' x 28' detached garage as shown on plans filed with this Board. Said property is located is located at **250 Trull Road**, Assessor's Map 24, Lot 47, zoned Residential.

Present were John Berube of 2543 Main Street, Tewksbury, and Christian and Michael Panasuk of 250 Trull Road.

Mr. Berube explained that the applicants were originally seeking two variances: Section 3511 for the height restrictions and Section 4143 to allow for the accessory structure to be in the front yard. Mr. Berube explained that they are withdrawing the request from Section 3511 and will now keep the structure within the required 20 foot height restriction.

Mr. Berube noted that this property directly abuts Route 495. The road will be higher than the garage and will not have a negative impact on the neighborhood. Mr. Berube also noted that the property is accessed through an easement as the driveway is shared by three homes. The driveway will be extended out to the garage.

Mr. Kutcher asked if any of the neighbors have complained and Mrs. Panasuk noted that they have spoken with the neighbor directly next door, with whom they share the driveway, and showed them the location of the garage, as well as the plans, and they are in favor of the project.

Mr. Dugan requested photographs of the lot and Mr. Berube noted that he does not have any with him.

Mr. Dugan asked what the height will be now that the request from Section 3511 is being withdrawn. Mr. Berube explained that the structure will now be under 20 feet and would be a cape roof rather than a gamble roof. Mr. Dugan noted that the plans submitted show the roof at 22 feet and explained that the plans should to be revised and resubmitted when the building permit is applied for.

Mr. Dugan asked what the 8 foot overhang is for and Mr. Panasuk explained for wood storage, lawnmower, etc.

Mr. Johnson noted that he is in favor of the variance request to put the garage in this location as there is a hardship with the wetlands and driveway.

Mr. Dugan opened the hearing to the public and no one came forward.

MOTION: Ms. Doherty made the motion to close both parts of the hearing; seconded by Mr. Kutcher and the motion carried 3-0.

MOTION: Mr. Kutcher made the motion to approve John Berube for Michael and Christian Panasuk for a variance from Section 4143 of the Tewksbury Zoning Bylaw to construct a 32' x 28' detached garage as shown on plans filed with this Board. Said property is located at 250 Trull Road, Assessor's Map 24, Lot 47, zoned Residential, the garage shall not be used for commercial use; seconded by Ms. Doherty and the motion carried 3-0.
DUGAN, KUTCHER, DOHERTY

Old Business

There was no old business.

New Business

There was no new business.

Adjournment

MOTION: Mr. Kutcher made the motion to adjourn; seconded by Ms. Doherty and the motion carried 3-0.

Approved: 5/29/14

*List of documents for 4/24/14 Agenda
Documents can be located at the Community Development Office*

Approval of Minutes – February 27, 2014

NEW HEARING

6:30 P.M. **John Berube for Michael and Christian Panasuk** for a variance from Section 3511 and Section 4143 of the Tewksbury Zoning Bylaw to construct a 32' x 28' detached garage as shown on plans filed with this Board. Said property is located at **250 Trull Road**, Assessor's Map 24, Lot 47, zoned Residential.

- *Application packet dated 4/14/14.*

CONTINUED HEARING

6:30 P.M. **GRE Tewksbury Property, LLC and GRE Tewksbury Apartments, LLC, dba Shawsheen Place** for (a) a determination and confirmation pursuant to 760 CMR 56.05(11) that the affordability "lock in period" set forth in the Comprehensive Permit issued by the Board on May 26, 1988 regarding the subject property has expired; and (b) modification of the Comprehensive Permit to address the affordability restriction. Said property is located at **11 Old Boston Road**, Assessor's Map 48, Lot 33, zoned Multi-Family, Commercial and Village Mixed Use Overlay Districts.

- *Letter dated 4/22/14 from Attorney Regnante requesting to be continued to 5/29/14.*