

DRACUT ZONING BOARD OF APPEALS

Meeting Minutes of April 16, 2015 at 7:00 p.m. @ Dracut Town Hall Selectmen's Meeting Room, 62 Arlington Street, Dracut.

2015-1 @ 7 Hope Avenue – Special Permit pursuant to Section 2.16.26(1) of the Dracut Zoning By-Laws to reestablish the protected status of an abandoned or unused nonconforming use of structure. Petitioner: Town of Dracut.

Chairman Crowley noted there are only four (4) members present this evening and if a vote was being requested you would need all four (4) members voting in favor. He asked Mr. Edwards if he wanted to move forward under these circumstances and he agreed to proceed.

Chairman Crowley opened the meeting and signed in a set of prints drawn by James D. Aho, Professional Land Surveyor dated March 25, 2015.

Mr. Edwards, Assistant Town Manager/Planner will be presenting for the Town. Mr. Edwards stated that the Town took ownership of this property through a tax taking. They would like to reestablish its use as a single family dwelling as it has not been used for over two (2) years. It is a nonconforming structure in frontage and front yard setback from Hope Avenue and Old Road. Pictures of the property were passed out. On the plot plan there is a 16' wide unlimited deed easement on the property. Mr. Edwards explained that Mr. Panageotopoulos of 12 Hope Avenue has ownership of the easement. Chairman Crowley asked what an unlimited deed easement meant. Mr. Edwards spoke with the town's attorney and there is no definite explanation, but would need to leave open.

Mr. Edward's noted the property has not been used since 2011 and is deteriorating. The Town's intent is to auction off the property to either bring up to code or take down and rebuild on the existing footprint. This would improve the value of the property and the neighborhood.

Mr. Lussier asked about the pool that is in the easement and the shed. Mr. Edwards stated that Mr. Panageotopoulos wants to make use of the easement and the pool would have to come down. Chairman Crowley would also like the shed to come down at the rear of the property that does not meet the required setback.

Abutters: Who came forward in favor or in opposition?

None.

A motion to close was made by Mr. Brian Lussier and seconded by Ms. Heather Santiago-Hutchings. The Board voted unanimously to close.

A motion to approve the Special Permit to reestablish the protected status of an abandoned or unused nonconforming use of structure contingent upon: 1. the removal of the pool and attached deck and 2. that the shed be removed or moved to meet the setback requirement was made by Mr. Brian Lussier and seconded by Mr. Richard Ahern. The Board notes the petitioner meets the intent of this Special Permit section and can be granted the permit without any derogation of the by-laws or without being injurious to the neighborhood. The Board voted unanimously to approve.

Acceptance of Minutes:

A motion to accept the February 26, 2015 minutes was made by Ms. Heather Santiago-Hutchings and seconded by Mr. Brian Lussier. The Board voted unanimously to accept the minutes.

New Business:

A letter from Citizens’ Housing and Planning Association, Inc. (CHAPA) dated March 16, 2015 with an update on Park Place Estates, Riverside Landing and Robbins Nest was passed out to the Board Members.

Next Meeting:

Thursday, May 21, 2015

Adjournment:

A motion to adjourn was made by Mr. Brian Lussier and seconded by Ms. Heather Santiago-Hutchings. The Board voted unanimously to adjourn.

Board of Appeals Members

_____ Chairman, John Crowley	_____ <u>Absent</u> Vice Chairman, Stephen Hamilton
_____ <u>Absent</u> Clerk, R. Scott Mallory	_____ Member, Heather Santiago-Hutchings
_____ Alternate Member, Brian Lussier	_____ Alternate Member, Richard Ahern