

**ZONING BOARD OF APPEALS  
MINUTES OF MEETING  
March 28, 2005**

**Board Members Attending:** Thomas Hannigan  
John Reynolds  
Matthew Armendo  
Lenny Ciuffredo  
Morris Bergman  
David George

**Staff Attending:** Jody Valade, Division of Land Use  
David F. Holden, Department of Code Enforcement  
Denise McGinley, Division of Land Use

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Thomas Hannigan opened the meeting at 5:30 P.M. The following actions were taken:

**\*\* 64 Fruit Street – Administrative Appeal:** Upon a motion duly made by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to take the matter under advisement and continue the requested hearing for Administrative Appeal (*to overturn enforcement order of the Director of Code Enforcement to cease and desist operation of a lodging house in a RG-5 zoning district*) to April 11, 2005.

**\*\* 66 Fruit Street – Administrative Appeal:** Upon a motion duly made by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to take the matter under advisement and continue the requested hearing for Administrative Appeal (*to overturn enforcement order of the Director of Code Enforcement to cease and desist operation of a lodging house in a RG-5 zoning district*) to April 11, 2005.

**3 Jeanette Street – Special Permit:** Upon a motion duly made by Lenny Ciuffredo and seconded by Matthew Armendo, the Board voted 5-0 to approve the requested Special Permit (*to convert existing single-family dwelling into a two-family dwelling*) with conditions as listed below:

Special Permit:

1. Expansion or change of a non-conforming use.

Conditions:

1. Project to be completed according to recommendations in Engineer's report as listed below:
  - a. Provide dry well for roof drain outlets.
  - b. Provide 6" berm / curb around the perimeter of the proposed driveway.
  - c. Silt fence line and hay bales should be maintained on a regular basis.
  - d. Provide crushed stone on steep slopes to create temporary dikes.

**65 Temple Street – Special Permit:** Upon a motion duly made by Matthew Armendo and seconded by Lenny Ciuffredo, the Board voted 4-1 (Thomas Hannigan voted No) to take the matter under advisement. Following this vote, a motion duly made by Matthew Armendo and seconded by Lenny Ciuffredo the Board voted to approve Special Permits (*to renovate and use one of the buildings on the site for retail sales*) with notes as listed below:

Special Permit:

1. Expansion or change of a non-conforming use.
2. To allow retail in a MG-2.0 zoning district.

Conditions:

1. Petitioner would need to seek further allowance for any other development of the site; especially, the proposed private “Club” which must conform to Massachusetts General Laws with respect to being open to the public and which must conform to local zoning laws.

**23 Vernon Street – Variance & Special Permits:** Upon a motion duly made by Matthew Armendo and seconded by Lenny Ciuffredo, the Board voted 5-0 to deny the petition for requested Variance and Special Permits (*to convert first floor of structure into a professional office*) as listed below:

Variance:

1. Relief of nine spaces form Off-Street parking requirement.

Special Permits:

1. Conversion to non-residential use (1<sup>st</sup> floor office).
2. To allow professional office in a RG-5 zoning district.

**452 Lake Avenue – Variances:** Upon a motion duly made by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to approve the requested Variances (*to raze existing structure and construct a single-family dwelling with garage under*) as listed below:

Variances:

1. Relief of 3,860 square feet from Gross Dimensional requirement.
2. Relief of 5 feet from Frontage requirement.
3. Relief of 12 feet from Rear Yard setback requirement.
4. Relief of 10 feet from Front Yard setback requirement.

**58 Ridgewood Road – Variance:** Upon a motion duly made by John Reynolds and seconded by Lenny Ciuffredo, the Board voted 5-0 to approve the requested Variance (*to construct a farmer’s porch onto front of existing single-family dwelling*) as listed below:

Variance:

1. Relief of 6 inches from Side Yard setback requirement.

**22 Catharine Street – Variances & Special Permit:** Upon a motion duly made by John Reynolds and seconded by Lenny Ciuffredo, the Board voted 5-0 to approve the requested

Variances & Special Permit (*to convert existing vacant rooming house into a two-family dwelling*) as listed below:

Variance:

1. Relief of 2,000 square feet from Gross Dimensional requirement.
2. Relief of 4 feet 6 inches from Side Yard (east) setback requirement.
3. Relief of 5 feet from Frontage requirement.
4. Relief of 2 feet from Rear Yard setback requirement.
5. Relief of four spaces from Off-Street parking requirement.

Special Permits:

1. Expansion or change of a non-conforming structure.

**\*\* 6 Ockway Street – Variance:** Upon a motion duly made by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to continue the requested hearing for Variance (*to bring existing single-family semi-detached dwelling into compliance with zoning ordinance*) to April 11, 2005.

**\*\* 45 Barclay Street – Variance:** Upon a motion duly made by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to continue the requested hearing for Variance (*to subdivide parcel into two lots & construct single-family semi-detached dwelling unit*) to April 11, 2005.

**83 Lyman Street – Variance:** Upon a motion duly made by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to approve Variance (*to construct a single-family dwelling*) with conditions as listed below:

Variance:

1. Relief of eight feet from Side Yard setback requirement.

Conditions:

1. Petitioner must provide a revised plan showing parking on site when applying for their building permit.
2. Proposed building and all related parking must be located in the RS-7 zone portion rather than the MG-2.0 zone section.

**28 Dix Street – Variances & Special Permit:** Upon a motion duly made by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to approve the requested Variances & Special Permit (*to convert existing three-family dwelling into a four-family dwelling*) with condition as listed below:

Variance:

1. Relief of 4,266 square feet from Gross Dimensional requirement.
2. Relief of 7 feet from Side Yard setback requirement.
3. Relief of 20 feet from Frontage requirement.
4. Relief of 3 feet 6 inches from Front Yard setback requirement.
5. Relief of 2 spaces from Off-Street parking requirement.

Special Permit:

1. Expansion or change of a non-conforming use.

Conditions:

1. Petitioner must reside in basement apartment created by the approval.

**26-30 Bancroft Street – Special Permit:** Upon a motion duly made by Lenny Ciuffredo and seconded by Matthew Armendo, the Board voted 5-0 to approve the petition for requested Special Permit (*to construct an additional three-family dwelling – Tract I*), as listed below:

Special Permit:

1. Expansion or change of a valid prior non-conforming use.

**10 Hawthorne Street – Variance and Special Permit:** Upon a motion duly made by Lenny Ciuffredo and seconded by Morris Bergman, the Board voted 5-0 to approve the requested Variance and Special Permit (*to construct an addition onto the rear of existing structure to use for classroom/conference room & academic offices*) with conditions as listed below:

Variance:

1. Relief from setback requirements (Table 4.2, Note3).

Special Permit:

1. Expansion or change of a non-conforming use / structure.

Conditions:

1. The fence located between #6 & #10 Hawthorne Street must be replaced; style of which is to be mutually agreed upon.
2. No parking on even side of Hawthorne Street (from Main Street to Woodland Street).
3. Parking on the street is limited to residents only.

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**OTHER BUSINESS: (0)**

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**Approval of Minutes:** Upon a motion duly made by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to approve the minutes of the March 14, 2005 meeting.

The meeting adjourned at 7:10 p.m.