

BOARD OF APPEALS

Gerard Ahearn, Chairman.....	2006
Jake Foote	2007
Kay Stoner	2008
VACANT	2009
Jacqueline Smith.....	2010

Associate Members

Charles Lord.....	2006
VACANT	2007

In 2005, the Board of Appeals continued a trend in recent years of spending the majority of its efforts on evaluating applications filed under MGL Chapter 40B. The Board was involved in three projects: Pondsides, a proposed 66-unit development on the Crystal Springs Campground off Main Street; Sunset Ridge, a 28-unit development off Wattaquodock Hill Road in which a previous Board decision was appealed by the applicant; and Riverside, a proposed 12-unit subdivision off Still River Road. In September, the Board approved the Pondsides project for 60 units, 15 of which are to be affordable to those earning less than 80% of median household income in the region. In November, Town Counsel and the board reached a settlement on Sunset Ridge that permitted 28 units, seven units of which will be affordable. Because 22 affordable units were permitted during 2005, the town applied to the Department of Housing and Community Development to extend its certification under its affordable housing plan for an additional two years. Through certification, the town can maintain its ability to “pick and choose” 40B projects.

The Board also held hearings and issued decisions on various special permit and variance applications as follows:

Petitioner: Patricia Larson

Property Located: 93 and 101 Wilder Road

Requests: Modification of a variance granted to the applicant in 1992 that would remove a condition that barred other dwelling units on the property; and the appeal of a Building Inspector decision.

Date filed: December 15, 2004

Action: Withdrawn without prejudice on March 10, 2005

Petitioner: Landquest Ltd.

Property Located: Wattaquodock Hill Road Map 4C Parcel 51

Request: Variance seeking relief from a provision of Section 2.4.1.2 that forbids the serving of more than 5 lots on a common driveway.

Date filed: June 23, 2005

Action: Approved on July 19, 2005

Petitioner: Patricia Larson

Property Located: 93 and 101 Wilder Road

Request: Revocation of a variance issued to the applicant in 1992; and issuance of a variance from the 2.3.5.7 Lot Shape Bylaw for a lot created in 2000 at 93 Wilder Road.

Date filed: July 21, 2005

Action: Lot Shape Bylaw request - Denied on September 13, 2005

Revocation of previous variance, Withdrawn without prejudice September 13, 2005

Petitioner: Holly E. Plante, Trustee, 28 Powder Hill Realty Trust

Property Located: 28 Powder Hill Road

Request: Variance seeking relief from Section 2.3.5.2 requiring side yard setback of 20 yards to construct new garage.

Date filed: November 15, 2005

Action: Approved on December 21, 2005

40B PROJECTS

Applicant: Heritage Manor LLC

Project: Pondsides

Property Located: 893 Main Street

Lot Size: 23 acres

Date filed: June 18, 2002

Hearings: September 20, 2004; November 3, 2004; November 23, 2004; December 15, 2004; January 19, 2005; February 9, 2005; March 16, 2005; April 20, 2005; May 18, 2005; June 15, 2005; July 12, 2005; August 11, 2005; August 16, 2005. No testimony was heard on November 3, 2004; January 19, 2005; May 18, 2005; and August 11, 2005. The Board held a site walk on October 23, 2004 and held work sessions on January 18, 2005, January 25, 2005, May 12, 2005, July 28, 2005 and August 9, 2005

Hearing Closed: August 16, 2005

Action: Approved with conditions, including a limitation of 60 units for the project and a construction mitigation plan.

Applicant: MCO Associates

Project: Riverside

Property Located: 396 Still River Road

Lot Size: 8 acres

Date filed: January 31, 2005

Hearings: Hearing opened on February 23, 2005 and continued to March 16, 2005; April 20, 2005; June 1, 2005, June 15, 2005; July 12, 2005; October 19, 2005; November 23, 2005; and December 20, 2005

Action: Ongoing

Financial Statement July 1, 2004 to June 30, 2005

Expenses

Appropriated			\$20,850.00
Expended	40B Permitting	\$10,825.00	
	Advertising	235.23	
	Dues	0.00	
	Supplies	93.75	<u>\$11,153.98</u>
Unexpended balance returned to general fund			\$ 9,696.02