

TOWN OF WENHAM
ZONING BOARD OF APPEALS

RECORD AND DECISION
96 Maple Street, Wenham Massachusetts
Petitioner: Andrew St. Pierre

The Zoning Board of Appeals for the Town of Wenham, Massachusetts, conducted a public Hearing on **Monday June 29, 2020 at 7:00 p.m.** virtually at the Wenham Town Hall 138 Main Street Wenham, MA via Zoom. This hearing was on the petition of **Andrew St. Pierre, 96 Maple Street, Wenham, MA**, for a variance from Sections 5.1 (Table of Dimensional Requirements) to construct a 18 x 24 foot addition to the existing dwelling within the 15' setback at **96 Maple Street (Assessor's Map 023, Lot 009)**. Present at all hearings were the following members of the Board:

Anthony M. Feeherry (Chairman)
Jeremy Coffey
Evan Campbell
Dana Begin (Associate Member)

A notice of public hearing on this application was advertised as follows, a true copy of which is on file in the office of the Zoning Board of Appeals:

1. Published in *The Chronicle and Transcript*, a newspaper of general circulation in the Town of Wenham on – Thursday June 11, 2020 and Thursday June 18, 2020
2. Posted at the Town Clerk's office June 4, 2020.
3. Mailed June 4, 2020 to the petitioner, abutters, owners of the land directly opposite the property in question on any public or private street or way, abutters to abutter within 300 feet of the subject property.

The public hearing was closed on June 29, 2020.

RELEVANT FACTS AND BYLAW PROVISIONS

With respect to the requested variance, the relevant provisions in the Zoning Bylaws are Section 5.1 (Table of Dimensional Requirements). The Petitioner proposes construct an 18 x 24 foot addition to the existing dwelling within the 15' setback. The property is a pre-existing, non-conforming lot. There is a garage on the site that is a non-conforming structure as it sits within the side setback. The lot is irregularly shaped and with the existing septic system, driveway location and in-ground pool there is no other location on the site that would accommodate any addition to the property. The applicant has informed the Board that they now need some additional living space to accommodate their family. There are no new bedrooms proposed. There were no objections from any of the neighbors. The Petitioner has agreed to relocate the fence at the front of the property to connect from the front corner of the new addition to the side yard fence.

DECISION

Action on Application for Variance from Section 5.1 (Table of Dimensional Requirements):
APPROVED

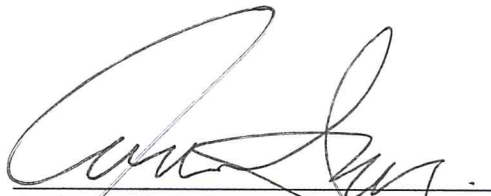
VOTE: (Yes) Anthony M. Feeherry (Chairman) (Yes) Jeremy Coffey,
(Yes) Evan Campbell (Yes) Dana Begin (Alternate Member)

ZBA VARIANCE APPROVAL
96 Maple Street


DATE: June 29, 2020

With respect to the requested variance, on June 29, 2020 the Board unanimously approved the requested variance to allow construction of an 18 x 24 foot addition to the existing dwelling within the 15' setback. The variance is granted based upon the Board's recognition of hardship to the Petitioner and the unique shape of the lot in question. The narrow front and location of existing in ground pool, driveway and septic system, leaves no other appropriate area on the property for siting any addition to the existing dwelling. The granting of a variance would not cause any detriment to the neighborhood or abutters as the addition is relatively small and still some distance from the property line and no abutters were in attendance to express any concerns.


Therefor by unanimous vote the Zoning Board of Appeals grants the variance from Section 5.1 (Table of Dimensional Regulations) for construction of an 18 x 24 foot addition to the premises at 96 Maple Street within the 15 foot side yard setback as shown on a plan entitled "Plot Plan, 96 Maple Street, Wenham MA, Land of Andrew and Tanea St. Pierre" Prepared by Kane Land Surveyors, 30 Higgins Lane, Wellfleet, MA" dated April 8, 2020. The front fence will be relocated to connect from the front corner of the new addition to the side yard fence.



Anthony M. Feeherry (Chairman)



Jeremy Coffey



Evan Campbell

Dana Begin (Associate Member)

DATE:

FILED IN THE OFFICE OF THE TOWN
CLERK ON

BY _____

I hereby certify that 20 days have elapsed from the date this decision was filed with this office and no notice of appeal was received during that period.

ATTEST

TOWN CLERK DATE