

Town of Millbury Board of Appeals

Ken Perro, Chairman
Daniel Mezynski, Vice Chairman
Robert Simmarano, Clerk
Harold Proodian
Michael Georges
Alternate member (N/A)



MUNICIPAL OFFICE BUILDING
127 ELM STREET
MILLBURY, MA 01527

Meeting Minutes
Thursday, May 07, 2020
7:00 pm

Due to the COVID-19 pandemic and associated State of Emergency, the Municipal Office Building was closed to the public. This meeting was being recorded and streamed by Millbury Public Access Cable Television. This meeting was also available through Zoom.us/download. Anyone that was interested in participating through Zoom.us/download was informed to state their name and address before speaking.
<https://zoom.us/j/91920014731> - ID# 919 2001-4731

Board Members Present: Ken Perro (Chairman), Daniel Mezynski (Vice Chairman) Robert Simmarano (Clerk) and Michael Georges

Roll Call: Due to the COVID-19 pandemic and associated State of Emergency this meeting was held through Zoom, for the record a roll call was taken; Ken Perro asked each member to confirm their presence with an (I);

Ken Perro (confirmed), Daniel Mezynski, Michael Georges and Robert Simmarano all responded with an (I).

Quorum:

With the absence of Harold Proodian the board had a four (4) member panel resulting in a quorum; Mellissa Piscitelli was informed by Ken Perro of her rights and the quorum; all four (4) members will need to vote in favor to her petition if one (1) member should vote opposed the application would be denied, she also had the right to postpone for a later date when all five (5) members were present; Mellissa Piscitelli agreed to the four (4) member quorum and to move forward with the present hearing.

7:30 PM First Hearing: Mellissa Piscitelli for the property located at 20 Croyden Street, Millbury, Ma. Representing Miss Piscitelli was Kevin Kieler of Permit – Solutions located at 31A Solomon Pond Road, Northboro, Ma.

Kevin Kieler spoke on behalf of Mellissa Piscitelli explaining to board members that Mellissa Piscitelli acquired Permit-Solutions sometime at the end of last year to assist in the process of a possible addition on her tiny house, she needed more room but there was a lot of confusion as to how to go about an addition on such a small lot especially when there was also some pre-existing non-conforming situations. Mellissa negotiated the purchase of 2,600-sqft of land from her neighbor Susan Bicknell of 18 Croyden Street to add to her lot and improve the condition. Due to the soil conditions and topography there wasn't any place on the lot to build an addition except for the piece of the land that was next to the house that Mellissa didn't own, she negotiated to buy that piece of property and all road frontage that came with it. They also had to create an easement that would allow the utilities to come in from Croyden Street up into Mellissa's property so they created a 10-ft easement. Even though the 2,600-sqft of property from Susan Bicknell her property will still remain a conforming parcel even with the 2,600-sqft gone. With the additional lot size and road frontage Mellissa will still need three (3) dimensional variances;

First variance, An easement would be created for utilities coming from Croyden Street, minimum frontage for an S-4 district is 150-ft with the presence of a 10-ft utility easement there is only 70-ft of frontage for an S-4 district a relief of 80-ft is needed.

Second variance, There previously was a 3,600-sqft lot with the additional land purchase of 2,600-sqft the lot size is now 6,200-sqft for an S-4 district a 20,000-sqft lot is required a relief of +/- 13,800-sqft is needed.

Third variance, The house is a pre-existing , non-conforming situation that currently sits 5.7-ft from the front lot line, front yard setbacks for an S-4 district is 25ft. a relief of 19.3-ft is needed.

Kevin Kieler continued that if these three (3) variances are approved by the board this addition can only bring beauty and value to the property and the new house size will bring in more harmony to the neighborhood and that the granting of the variances without derogating the spirit of the bylaw.

Ken Perro had several questions before moving forward:

1. Will you be applying to the planning board for zoning relief? Yes
2. Is this going to be a sequence subdivision filing? Yes
3. The proposed addition shown on the plan is it an extension of the legal pre-existing home? Yes
4. Are the applicants satisfied with the proposed addition? Yes
5. If the board approves the variances their decision and findings are based on the plan presented to the board? Yes
6. When do you believe you'll be filing for the building permit? This summer (ASAP)
7. Do you anticipate any blasting during this process? No
8. Are you aware of the potential construction and post construction could still run some problems that might occur being a small parcel? Yes

(Reminder) The town has a bylaw for post construction stone water management to make sure the project meets the basic requirement to have an engineer properly review the site prior to any building permit is filed.

The rear elevation foot print of the proposed project may trigger that review.

9. Is there any visible ledge out cropping on the property? There is a little bit in the back of the house, you can tell by the way that the lot slopes and the way it was graded there is a lot of rock there.

10. Are there any other abnormal topography or soil conditions the board should be aware of? Yes, that the lot goes straight up hill from the road.

For the record: Robert Simmarano read four (4) letters (please see attached) of support for Mellissa Piscitelli's application;

Jeanne M. Bombardi of 16 Croyden Street, Millbury

Jacqueline & Roger Cammuso of 19 Croyden Street, Millbury

Andrew & Anne Marie Cammuso of 21 Croyden Street, Millbury

Lisa & William Bennes of 28 Croyden Street, Millbury

Ken Perro entertained a motion to close the public hearing; Michael Georges made the motion, second by Daniel Mezynski carried unanimously 4 – 0.

After further discussion between board members (all positive input)...

Ken Perro then entertained a motion to approve the three (3) dimensional variances...

Michael Georges made a motion second by Daniel Mezynski to approve **Three Dimensional Variances** to the applicant Mellissa Piscitelli of 20 Croyden Street, Millbury, Ma for the property located at 20 Croyden Street, Millbury, Ma Map# 15, Lot# 43, Suburban – IV Zoning District Duly Recorded with the Worcester County Registry of Deeds Book# 45065, Page# 386 with the Millbury Zoning Bylaws Section 23.54.

Mellissa Piscitelli of 20 Croyden Street, Millbury, Ma negotiated the purchase of 2,600 Sq. Ft. of land from Susan Bicknell of 18 Croyden Street, Millbury, Ma from the property located at 18 Croyden Street, Millbury, Ma Map# 15, Lot# 37, Suburban IV District Duly Recorded at the Worcester County Registry of Deeds Book# 20109 Page# 145; with the purchase of the 2,600 Sq. Ft. to Melissa Piscitelli the property at 20 Croyden Street, Millbury, Ma Map# 15, Lot# 43, Suburban – IV Zoning District Duly Recorded in the Worcester County Registry of Deeds in Book# 45065 Page# 386 now has a total of 3,600 Sq. Ft. With this additional property increase Mellissa Piscitelli is proposing to build a 26'x22' addition on to the existing dwelling. With the Millbury Zoning Bylaws **Section 23.34** the three variances are as follows:

(1st Variance) a lot area for an S-4 district is 20,000-sqft a relief of +/-13,800-sqft is needed.

(2nd Variance) minimum frontage for an S-4 district is 150-ft with the presence of a 10-ft utility easement there is only 70-ft of frontage a relief of 80-ft is needed.

(3rd Variance) front yard setbacks for an S-4 district is 25ft. a relief of 19.3-ft. is needed.

The Board voted unanimously 4 – 0 for the three (3) Dimension Variances to be approved by the Millbury Board of Appeals under MGL Chapter 40a under the Millbury Zoning Bylaws to/for the property at 20 Croyden Street, Millbury, Ma Map# 15, Lot# 43, Residential – IV Zoning District, Duly Recorded in the Worcester County Registry of Deeds in Book# 45065, Page# 386.

Roll Call: Ken Perro (I), Michael Georges (I), Robert Simmarano (I), Daniel Mezynski (I), carried unanimously 4 – 0.

8:00 PM Second Hearing: Peter M. Sclamo (Sclamo's Furniture & Appliances) for the property located at 1485 Worcester-Grafton Road, Millbury, Ma.

Paul Stringham had Mr. Sclamo on his cell phone to assist in communications between Mr. Sclamo and the board member's, Paul Stringham was going to attempt to walk Mr. Sclamo through to get him on the Zoom hearing with his own phone when the board suggested to continue his hearing for a later date, Mr. Sclamo agreed it would be better with the hopes that the town hall will be open to the public by then if not due to the COVID-19 pandemic and associated State of Emergency this meeting will be held through Zoom and streamed by Millbury Public Access Cable Television.

Ken Perro entertained a motion to continue the hearing for Peter M. Sclamo (Sclamo's Furniture & Appliances) for the property located at 1485 Worcester-Grafton Road, Millbury for **Wednesday, May 27th, 2020 @ 7:05pm Daniel Mezynski made the motion second by Michael Georges...**

Roll Call: Ken Perro (I), Michael Georges (I), Daniel Mezynski (I), Robert Simmarano (I), carried unanimously 4 – 0.

8:05 PM: – New Business – At this time there was no new business except for the continued hearing scheduled for Wednesday, May 27th, 2020 for Peter M. Sclamo (Sclamo's Furniture & Appliance) for the property located at 1485 Worc-Grafton Road, Millbury, Ma @ 7:05pm.

8:15 PM: – Meeting Minutes from Wednesday, January 29th, 2020.

(Members present for 01/29/2020: Ken Perro, Harold Proodian, Robert Simmarano and Michael Georges)

Robert Simmarano made a motion to approve the meeting minutes from Wednesday, January 29th, 2020 second by Daniel Mezynski...

Roll Call: Ken Perro (I), Michael Georges (I), Daniel Mezynski (I), Robert Simmarano (I), carried unanimously 4 – 0.

carried unanimously 4 – 0.

8:20 PM: Adjournment.

Daniel Mezynski made a motion to adjourn second by Michael Georges carried unanimously 4 – 0.

Next scheduled meetings:

Wednesday, May 27th, 2020 @ 7:00pm

Thursday, May 7th, 2020 @ 7:00pm (Meeting held via Zoom due to Covid -19 Pandemic, Town Hall Closed to Public)

Wednesday, April 29th, 2020 @ 7:00pm (Cancelled Due to Covid-19 Pandemic – Town Hall Closed to the Public)

Wednesday, March 25th, 2020 @ 7:00pm (Cancelled Due to Covid-19 Pandemic – Town Hall Closed to the Public)

Wednesday, February 26th, 2020 (Cancelled Due to Early Voter Registration)

Respectfully submitted by Nancy Young and submitted to Town Clerk.

May 5, 2020

To whom it may concern,

My name is Jeane M. Bombardi. I live at 16 Croyden St. Millbury and Melissa Piscitelli's next-door neighbor. I have no objections to her addition of her property. She is a wonderful neighbor.

Jeane M. Bombardi

Phone # 755-8367

Millbury Board Of Appeals
Kenneth Perro, Chairman

Dear Mr. Perro,

I am writing to you regarding Melissa Piscitelli's potential addition project at 20 Croyden Street. My husband Roger Cammuso grew up on Croyden Street with his grandparents next door and the Piscitelli family up the street. When his grandparents passed away we purchased 19 Croyden street in 2016. This neighborhood must be doing something right because nobody wants to leave!

Melissa has always been an excellent neighbor. She takes great pride in taking immaculate care of her home. We support approval of the relief required to allow this construction and look forward to seeing the expansion process roll out right across the street. Our two year old son will definitely enjoy supervising from the window every step of the way.

Please reach out to us if you have any specific concerns we can address. (Jackie's phone:774-287-3858 and email jacquelineion88@gmail.com)

Jacqueline and Roger Cammuso
19 Croyden St
Millbury ,Ma 01527

April 28, 2020

Millbury Board of Appeals
Kenneth Perro, Chairman

Dear Mr. Perro,

My name is Andrew V. Cammuso. I have lived on Croyden Street my entire life. Back in 1989 I went in front of the Millbury Board of Appeals for a variance to build the home my wife and I now reside in. We were very blessed to be able to build our home in 1990 and have raised our 4 children there. This home was built next door to my childhood home.

I have known Melissa Piscitelli her whole life since she also has resided on Croyden Street her entire life. We are excited to see that Melissa is looking to expand her current dwelling on Croyden Street and continue to be the great neighbor we have come to enjoy as part of the Croyden Street family.

We are looking forward to the new construction Melissa has planned.

Sincerely, *Andrew Cammuso*

Anne Marie Cammuso

Andrew & Anne Marie Cammuso
21 Croyden Street
Millbury, MA 01527

William and Lisa Bennes
28 Croyden St.
Millbury, MA 01527
508 864 0767
lisa.bennes@gmail.com

Kenneth Perro Chairman
Millbury Board of Appeals
127 Elm Street
Millbury, MA 01527

4/29/20

Dear Mr. Perro,

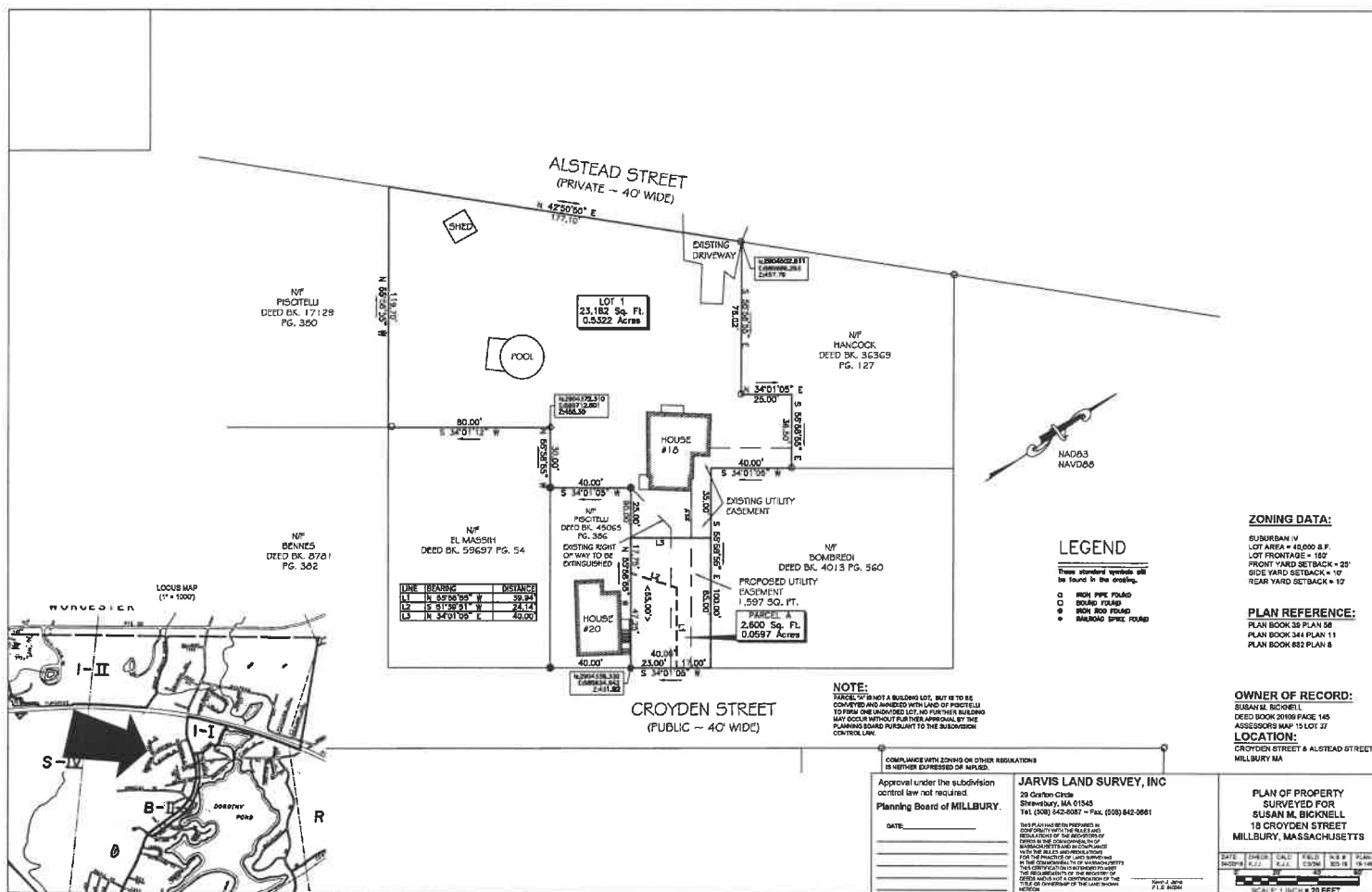
We recently received a letter from the Board of Appeals regarding the proposed addition to the property owned by Melissa Piscitelli at 20 Croyden Street. Due to the closing of offices because of the Covid 19 outbreak we were not sure if the meeting scheduled for May 7th will still occur so we decided to write a letter of support instead.

We have lived at our residence at 28 Croyden St. for 35 years and have known Melissa all her life. We were so pleased she purchased the house at 20 Croyden St years ago moving only a couple of houses away from her parent's home on the same street. We certainly do not oppose the addition and feel it would be a benefit to our close knit neighborhood. If you have any questions, please feel free to call me at the number above. Thank you for your consideration for this addition,

Sincerely,

Lisa M Bennes
William E. Bennes

Lisa M. Bennes
William E. Bennes



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Board of Appeals Approval Signatures

(VOTED ON WEDNESDAY, MAY 27TH, 2020)

Approval Electronic Signatures for the meeting of Thursday, May 07th, 2020

Ken Perro

Ken Perro, (Chairman)

Daniel Mezynski

Daniel Mezynski, (Vice Chairman)

Robert Simmarano

Robert Simmarano, (Clerk)

N/A (H. P. was not present for the 5/7/2020 meeting)

Harold Proodian

Michael Georges

Michael Georges

N/A (Alternate)

Thursday, May 07th, 2020