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**TOWN OF CARLISLE**  
**OFFICE OF**  
**Zoning Board of Appeals**

**66 Westford Street**  
**Carlisle, MA 01741**  
**978-369-5326**

**Minutes: Board of Appeals, February 4, 2019**

**Call to Order**

The meeting was called to order at 7:30 p.m. in the Town Hall, 66 Westford Street. Chair Snell advised those present that the hearing was being recorded and asked if anyone present was also recording the hearing. Mosquito reporter Helen Lyons indicated that she was recording the hearing.

**Roll Call and Declaration of Quorum**

Chair Snell recognized the required quorum of Members. Present were Travis Snell (Chair), Manuel Crespo (Clerk), Member Steven Hinton and Associate Member Eric Adams.

**Statement of Compliance**

The issue of compliance regarding posting of the hearing was confirmed by the Chair. According to Acting Secretary Charlene Hinton, the Meeting Notice was posted in Town Hall on January 31, 2019.

**Public Comment – Approval of Agenda**

Chair Snell asked those present if there were any matters other than those listed on the agenda which the public would like to add to the agenda. When none were offered, the agenda was accepted.

**Old Business – Hearing for case 1701**

The Board reopened the public hearing continued on January 7, 2019 for the application of Angus Beasley requesting a Special Permit to rebuild the house and barn increasing the overall footprint on an existing non-conforming lot, being .528 acres where 1 acre is required under Zoning Bylaw Section 4.1.1.1. The property is located in the Residence A Historic District at 21-23 Bedford Road.

Acting Secretary Hinton reported that the Applicant has requested a continuance.

**Hearing for case 1902**

The Board reopened the public hearing continued on January 7, 2019 for the application of Richard West requesting a Special Permit to build a sunroom on a non-conforming lot being less than one (1) acre and expand the habitable space beyond the limits of Bylaw 6.3, the 50% expansion rule. The property is located at 532 South Street.

Present were the Applicant, Acting Secretary Charlene Hinton, Mosquito reporter Helen Lyons and members of the public. Acting Secretary Hinton reported that no correspondence had been received since January 7, 2019.

**Applicant's testimony**

The Applicant, Richard West, presented a revised plan that removed the system that would create the heating of the proposed new sunroom (ZBA\_1902\_01). The footprint of proposed structure would remain the same as the previous plan.

**Board's comments**

The Board reviewed the revised plans and determined that without a heating system, the proposed structure would not be considered habitable space and therefore does not exceed the limitations of the 50% expansion bylaw section 6.3.

Chair Snell said that he spoke with Town Counsel about this case. After discussing the details with the Building Commissioner, Town Counsel informed the Chair that the Applicant could build according to the revised plan.

**Public comments**

The Chair asked if there were any public comments regarding the application and when none were given the public hearing was closed.

**Deliberations and Decision**

The Board deliberated the case and determined it appropriate to grant the Special Permit in accordance with the revised plan referenced herein (ZBA\_1902\_01) that is signed and dated February 4, 2019. The decision is based on the standard finding and subject to the standard conditions. The Board voted 3-0 in favor of the Special Permit, Snell (aye), Hinton (aye) and Crespo (aye). Non-voting Associate Member also voted 1-0 in favor, Adams (aye).

**Appeals** The Applicant was advised that the written Decision will be prepared and signed with fourteen (14) days. A copy of the signed Decision will be mailed to the Applicant and abutter at which time the twenty (20) day appeal period begins. At the end of the appeal period, if no appeal is filed, the Applicant will receive an original signed copy of the Decision which must be recorded with the Register of Deeds in Lowell, MA before the Building Commissioner will issue a building permit.

**New Business – Hearing for case 1903**

Chair Snell opened the public hearing for application 1903, the application Blake Duffy requesting a Special Permit under bylaw section 3.2.2.9 to operate a landscape business and store equipment. The property is located within the Residence B District at 247 North Road.

Present were the Applicant Blake Duffy, Mosquito reporter Helen Lyons, Acting Secretary Charlene Hinton and members of the public. Acting Secretary Hinton reported that no correspondence had been received regarding the application.

**Applicant’s Testimony**

The Applicant, Blake Duffy, appeared before the Board and explained the need to store a one ton pickup truck and enclosed landscape trailer outside on the tarmac between the farm house and the old red cow barn for the landscape business which will start this coming season. The name of the business is “A Squad Landscaping” and Mr. Duffy will be the sole employee.

**Public comments**

Abutter Patricia Simon, 63 Old North Road, noted that she supported the proposed business and inquired about traffic flow and any plans for new structures to be added on the property. The Applicant told the Board that the truck would use North Road to access the tarmac and that there is not a plan to add any new structure to support his business.

**Board’s comments**

The Board informed the Applicant that if there are any changes in number of employees, trucks or other vehicles in the future he will be required to reapply for a new or amended Special Permit.

Chair Snell asked those present if there were any additional comments. When none were offered, the public hearing was closed.

**Deliberations and Decision**

The Board deliberated the case and determined it appropriate to grant the Special Permit for a period of one (1) year to expire on February 4, 2020. The Members voted 3-0 in favor of the Special Permit, Hinton (aye), Snell (aye) and Crespo (aye). Non-voting Associate Member voted 1-0 in favor Adams (aye).

The decision was based on the standard findings and subject to the standard conditions.

**Appeals**

The Applicant was advised that the written Decision will be prepared and signed within fourteen (14) days. A copy of the signed Decision will be mailed to the Applicant and abutters at which time the twenty (20) day appeal period begins. At the end of the appeal period, if no appeal is filed, the Applicant will receive an original signed copy of the Decision which must be recorded with the Register of Deeds in Lowell, MA and shall be filed with the Building Department before becoming final.

**Adjournment**

Chair Snell asked those present if there were any additional issues to discuss. When none were offered the meeting adjourned at 8:04 pm.

Respectfully submitted  
Peggy Wang