



OFFICE OF THE
BOARD OF APPEALS
TOWN OF DUNSTABLE
TOWN HALL
511 MAIN STREET
DUNSTABLE, MA 01827-1313

Approved
August 21, 2008

Taylor Hearing
July 10, 2008

Members Present: Joshua West, Clerk
Alice Ekstrom, Member
Leo Tometich, Member
Lisa O'Connell, Secretary, Associate Member

Members Absent: Wesley Goss, Chairperson
Judith Thompson, Member
Al Horton, Associate Member

Petitioners Present: Jessica Taylor

Others Present: None

This meeting's intent is to file a decision with the Town Clerk regarding the application submitted by William and Jessica Taylor, owners of 15 Lower Dam Way, for a variance from the Dunstable Zoning By-laws, Sections 4.2 and 4.3 alteration, reconstruction, extension or structural change of a nonconforming structure or lot, and Sections 11.1 and 11.3 dimensional lot requirements. This meeting is a continuation from the hearing opened on May 1, 2008 and continued on May 29, 2008 and June 12, 2008.

Joshua West called the meeting to order and re-opened the hearing at 7:12 p.m.

Josh West said that he would like to note that the selection at the head of the application completed by the petitioner was specifically for a variance, however; the application also stated that the applicable by-law section is 4.3 – a nonconforming structure that may be extended, altered, reconstructed or repaired as long as the Board finds such change not more detrimental to the neighborhood. This by-law requires a finding and not a variance and the Board will treat this application as a request for a finding in regards to section 4.3 of the DZBL.

Jessica Taylor presented the new plans from their engineer. She stated that they would not be building the garage and have amended their plans, as they do not have room and would encroach on the sideline dimensions if they built it. They will be staying within the footprint for the most part and the addition that they are planning will not make the structure more nonconforming. They will be adding a second floor. The addition they are planning is on the lakeside of the house on the east side. The southeast corner of the structure will be 30 feet from the side line.

The plans will be changed to remove the garage and the front of the house on that side will be similar in appearance to the left side of the house.

The board reviewed the plans and noted that the new addition will be less nonconforming on the eastside as the current sideline dimension is 22.3 feet.

Alice Ekstrom motioned to vote as to whether the planned alterations to the property at 15 Lower Dam Way as presented by Jessica Taylor would or would not be more nonconforming. Leo Tometich seconded the motion and the secretary called the roll.

Joshua West – not more nonconforming
Alice Ekstrom - not more nonconforming
Leo Tometich - not more nonconforming

Joshua West called for Lisa O'Connell's vote:

Lisa O'Connell - not more nonconforming

Joshua West motioned to vote as to whether the planned alterations to the property at 15 lower Dam Way as presented by Jessica Taylor, are or are not more detrimental the to neighborhood. Alice Ekstrom seconded the motion and the secretary called the roll.

Joshua West – not more detrimental
Alice Ekstrom - not more detrimental
Leo Tometich - not more detrimental

Joshua West called for Lisa O'Connell's vote:

Lisa O'Connell - not more detrimental

The vote carried unanimously in favor of the petitioner.

Lisa O'Connell explained the procedures for filing the decision, the appeal period and the petitioner's responsibility for recording the decision with the registry of deeds.

Alice Ekstrom motioned to close the hearing. Leo Tometich seconded the motion and all were in favor. The hearing was closed at 7:25 p.m.