



OFFICE OF THE  
**BOARD OF APPEALS**  
TOWN OF DUNSTABLE  
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Approved  
October 25, 2012

**Childs Variance Hearing**  
**October 11, 2012**

Members Present: Ted Gaudette, Acting Chairperson  
John Martin, Clerk  
Judy Thompson, Associate Member  
Lisa O'Connell, Acting Secretary and Member

Members Absent: Leo Tometich, Chairperson  
Josh West, Member  
Al Horton, Associate Member  
Gerald Mead, Associate Member

Petitioners Present: James Childs, 327 Forest Street, Dunstable

Others Present: Tom Dumont, 20 Forest Street Dunstable

This meeting's intent was to file a formal decision with the Town Clerk regarding the application of James Childs of 327 Forest Street, Dunstable, MA owner of the property located at 327 Forest Street, Dunstable, MA for a variance from the requirements of the Dunstable Zoning By-laws, Section 11.5, to construct a garage closer to the street line than the principal building.

Acting Chairperson Ted Gaudette called the meeting to order and opened the hearing at 7:30 p.m. He read the hearing notice and the certified parties in interest for the record. He asked the petitioner to present his case.

James Childs presented his site plan and summarized the property size, shape and location relative to the street. It is a hammerhead lot, and the new garage would be erected behind his neighbor's fence which has a camouflage covering behind trees over 10 feet. He started this project a couple of years ago, but was told by the building inspector that he would have to change his plans and relocate the garage in order to comply with the by-laws. The new garage would match the look of the house. He said there is a hardship because there are wetlands located to the right of the house, so the only logical and convenient place would be to locate the garage to the left of the house, which is closer to the street than the house itself.

The approved location would be over 500 feet from the house and he would have to remove 40 to 60 pine and oak trees and over 100 saplings. The land also slopes, so he would have to bring in fill and build a retaining wall. In the location to the left of the house, he would only have to remove 2 trees and it would be located right in the turnaround in front of the house. He could transplant one of the trees. The garage would be hidden completely behind his neighbor's fence which is covered with a camouflage canvas and behind a wall of spruce trees. In the approved location, the garage would be visible to several of his neighbors.

Ted Gaudette said that they are bound by the Zoning By-laws, regardless of how practical another location may seem.

Lisa O'Connell wondered if there wasn't an exception due to the hammerhead lot.

Ted Gaudette said it would be worth checking with Town Counsel to make sure there wasn't some exception the Board was missing.

John Martin motioned to continue the hearing to Thursday, November 1, 2012 at 7:00 pm in the Town Hall in order to contact Town Counsel for advice.

Judy Thompson seconded the motion and all were in favor. The hearing was recessed at 7:55 pm.