

TOWN OF LYNNFIELD



BOARD of APPEALS MEETING NOTICE

NOTE: Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of Open Meeting Law, and his March 15, 2020 Order limiting the number of people who may gather in one place, the Zoning Board of Appeals hearing will be held remotely via Zoom. The Public may not physically attend this meeting, but every effort will be made to allow the public to view/ and or listen to the meeting in real time.

To attend a Zoom Meeting for Board of Appeals, visit

<https://us02web.zoom.us/j/88038159372?pwd=WjBRWmdEa1J2bVRLalhHb0Nzbkq4Zz09>

MEETING ID: 880 3815 9372 PASSWORD: 434714

If you do not have a camera or microphone on your computer you may use the following dial in number: 1-929-205-6099

MEETING ID: 880 3815 9372 PASSWORD: 434714

Please only use dial or computer and not both as feedback will distort the meeting.

AGENDA

Town Clerk Date Stamp

Board/Committee Name: BOARD OF APPEALS

Day/Date: Tuesday, October 6, 2020

Time of Meeting: 7:30 PM

Location: Virtual Meeting via Zoom

AGENDA

CONTINUED CASES

CASE #20-05 LUIGI AND MARIA ACIERNO, 1 WALSH ROAD, LYNNFIELD, MA 01940

To apply for a Special Permit and Finding under Section 5.5, nonconforming single and two family structures, to reconstruct, extend, alter and change a single-family structure. CONTINUED FROM THE 9/1/2020 HEARING

CASE #20-07 BOSTON CLEAR WATER CO., LLC., 165 LOWELL STREET, LYNNFIELD, MA 01940

To Appeal the Building Inspector's Decision under Section 10.3.2 and MGL c. 40A s.8

This is an appeal, pursuant to Section 10.3.2 of the Town of Lynnfield Zoning Bylaw (hereinafter the "Bylaw") and M.G.L. Ch. 40A S.8, of an order of the Building Inspector of the Town of Lynnfield in the form of a letter issued to us by the Building Inspector dated June 22, 2020, (hereinafter the "Letter"), a copy of which is attached to this Petition as Exhibit "A". The letter cites Sec. 6.2.2 of the Bylaw and recites the text therein incorrectly. Thus, the Letter lacks specificity and the Petitioner is not able to ascertain the Bylaw violation that the Letter attempts to assert. Furthermore, it is the Petitioner's position that all signs on the Property are not in violation of the Bylaw in any way. Thus, the Petitioner respectfully requests that the order stated in the Letter be reserved in its entirety. CONTINUED FROM THE 9/1/2020 HEARING

CASE #20-08 BOSTON CLEAR WATER CO., LLC., 165 LOWELL STREET, LYNNFIELD, MA 01940

To Appeal the Building Inspector's Decision under Section 10.3.2 and MGL c. 40A s.8

This is an appeal, pursuant to Section 10.3.2 of the Town of Lynnfield Zoning Bylaw (hereinafter the "Bylaw") and M.G.L. Ch. 40A S.8, of an order of the Building Inspector of the Town of Lynnfield in the form of a letter issued to us by the Building Inspector dated June 26, 2020, (hereinafter the "Letter"), a copy of which is attached to this Petition as Exhibit "A". It is the Petitioner's position that the presence of the tanks on the subject property is not an extension of any non-conforming use and furthermore is not in violation of the Bylaw in anyway as alleged. Thus, the Petitioner respectfully requests that the Order be reversed in its entirety. CONTINUED FROM THE 9/1/2020 HEARING

CASE #20-09 BOSTON CLEAR WATER CO., LLC., 165 LOWELL STREET, LYNNFIELD, MA 01940

To Appeal the Building Inspector's Decision under Section 10.3.2 and MGL c. 40A s.8

This is an appeal, pursuant to Section 10.3.2 of the Town of Lynnfield Zoning Bylaw (hereinafter the "Bylaw") and M.G.L. Ch. 40A S.8, of an order of the Building Inspector of the Town of Lynnfield in the form of a letter issued to us by the Building Inspector dated June 22, 2020, (hereinafter the "Letter"), a copy of which is attached to this Petition as Exhibit "A". The letter cites Sec. 6.5.1 of the Bylaw and recites the text therein incorrectly. Thus, the Letter lacks specificity and the Petitioner is not able to ascertain the Bylaw violation that the Letter seems to attempt to assert. Furthermore, it is the Petitioner's position that the lighting on the Property is not in violation of the Bylaw in any way. Thus, the Petitioner respectfully requests that the requirement state in the Letter be reversed in its entirety. CONTINUED FROM THE 9/1/2020 HEARING

CASE #20-10 BOSTON CLEAR WATER CO., LLC., 165 LOWELL STREET, LYNNFIELD, MA 01940

To Appeal the Building Inspector's Decision under Section 10.3.2 and MGL c. 40A s.8

This is an appeal, pursuant to Section 10.3.2 of the Town of Lynnfield Zoning Bylaw (hereinafter the "Bylaw") and M.G.L. Ch. 40A S.8, of an order of the Building Inspector of the Town of Lynnfield in the form of a letter issued to us by the Building Inspector dated June 22, 2020, (hereinafter the "Letter"), a copy of which is attached to this Petition as Exhibit "A". The Letter cites Sec. 10.2.4 of the Bylaw incorrectly. Said section of the Bylaw is not applicable or relevant to the Code of Lynnfield Article 179-1 because Sec. 10.2.4 of the Bylaw is part of the Zoning Bylaws while The Code of Lynnfield Article 179-1 is part of the General Bylaws of the Town of Lynnfield.

Furthermore, it is the Petitioner's position that it is not in violation of the Code of Lynnfield Article 179-1. Thus, the Petitioner requests that the order stated in the Letter be reversed in its entirety. CONTINUED FROM THE 9/1/2020 HEARING

CASE #20-12 JEAN C. ZUCHIERI BRESSAN, 34 ESSEX STREET, LYNNFIELD, MA 01940

To apply for a Variance under Section 4.1 and 4.1.2 to build an addition. CONTINUED FROM THE 9/1/2020 HEARING

CASE #20-14 JOHN SOLCARO, 2 HAMPTON COURT, LYNNFIELD, MA 01940

To Apply for a Variance to Construct a kitchen addition under Section 4.1.2. CONTINUED FROM THE 9/1/2020 HEARING

CASE #20-15 EVERETT COOPERATIVE BANK, 771 SALEM STREET, LYNNFIELD, MA 01940

To Apply for a Variance under Section 4.1.1, 4.1.2, 4.7, 6.1.2 and approval of minor modification of site plan under Section 10.6 of the Lynnfield Zoning Bylaws to allow addition of two proposed signs to the existing premises as shown on the sign information submitted with the Site Plan.

CASE #20-16 MICHAEL TOUCHETTE, 4 OAKRIDGE TERRACE, LYNNFIELD, MA 01940

To Apply for a Special Permit under Section 5.3 and 5.5 for a new Single Family Home.

CASE #20-17 FRANK LOPILATO, 2 EDWARD AVE, LYNNFIELD, MA 01940

To Apply for a Variance to Build a deck that is outside the setback requirement and a 2nd floor deck off the back of the home.

ADMINISTRATIVE MATTERS

MINUTES FOR REVIEW DECISIONS FOR REVIEW

ADVERTISED IN THE LYNNFIELD VILLAGER ON 9/16/2020 and 9/23/2020

9-16-2020, 9-23-2020 LV