The Office of the Zoning Board of Appeals
THE TOWN OF MERRIMAC
Massachusetts, 01860

COMMITTEE: ZBA
MEETING DATE: July 9, 2024
Meeting Location: Remote
School Street, Merrimac, Ma 01860
Members present: Matthew Passeri, Ken Nobrega, Joanne Rodrigues, Mitch Kostoulakos
Bob Sinibaldi, Rob Gustinson

7:01PM

Matt Passeri opened the meeting

7:03PM

Mins from June 11, 2024, Joanne made a motion, Mitch 2nd the motion 4:0

DECISION

Property: 26 Church Street, Merrimac, MA

Applicant and Property Owner: Cooper J Paul, Nicole Olivia Paul, Chris J. Woods and Theresa D. Paul Woods

This is the **DECISION** of the Town of Merrimac Zoning Board of Appeals ("Zoning Board") to consider the

petition of Cooper John Paul, Nicole Olivia Paul, Chris J. Woods and Theresa D. Paul Woods for a Special Permit (the "Application") for the construction and use of a detached accessory dwelling unit within the existing two-story barn on the property located at 26 Church Street in the Town of Merrimac, Massachusetts (the "Property"), in the Village Center District.

On July 9, 2024, the Zoning Board opened a duly noticed, posted and published public hearing on the Application pursuant to and consistent with the Merrimac Zoning Bylaw, G.L. c. 40A and Chapter 20 of the Acts of 2021. Specifically, notice of the public hearing was timely posted and was mailed to all required parties in interest, and was published in the Newburyport Daily News, a newspaper of general circulation in the Town of Merrimac. The meeting of the Zoning Board was conducted by videoconference, Zoom.

EXHIBITS

The following documents were submitted to the Zoning Board in connection with the Application:

1. Application for a Special Permit, dated June 12, 2024;
2. A one-page plot plan, showing the Property boundaries but no structures;
3. A photograph of the existing dwelling and barn on the Property;
4. A floor plan of the proposed accessory dwelling unit;
5. Three pages of structural drawings; and,
6. Three pages of drawings of the interior and exterior of the proposed accessory dwelling unit.

HEARING

The Zoning Board members present for and participating in the public hearing were Matthew Passeri, Mitch Kostoulakos, Joanne Rodrigues and Kenneth Nobrega. During the public hearing, the Applicant and members of the public were provided an opportunity to be heard regarding the Application.

Mr. Chris Woods and Mrs. Theresa Woods appeared on their own behalf and described the planned renovation the barn for construction of the accessory dwelling unit. They recently purchased the property with their son, Cooper Paul, and his wife, Nicole Paul. Cooper and Nicole will reside in the dwelling on the Property while Chris and Theresa live in the unit above the barn. The Property is served by the municipal water and sewer systems. They have engaged a structural engineer and other contractors necessary to make the necessary renovations to the barn to accommodate the accessory living unit.

Mr. Sinibaldi, Building Commissioner, spoke in favor of the proposed renovation. Mr. Sinibaldi brought to the Board's attention that the Property is in the Village Center District and could be developed as a two-family dwelling.

No members of the public spoke during the public hearing concerning the Application.

DECISION

The Zoning Board considered all the information presented with the Application and presented at the public hearing.

A motion was made by Mr. Kostoulakos and seconded by Ms. Rodrigues that the Zoning Board approve issuance of the Special Permit for the accessory dwelling unit subject to the provision of the Zoning Bylaw.

The motion unanimously passed following a roll call vote with all 4 votes cast in favor of the motion.

Ms. Rodrigues- Yes

Mr. Nobrega- Yes

Mr. Kostoulakos- Yes

Mr. Passeri- Yes

Accordingly, the Applicant's petition for a Special Permit pursuant to Section 17.3 of the Town of Merrimac Zoning Bylaws is **ALLOWED**.

Appeals of this Decision, if any, shall be made pursuant to G.L. c. 40A, §17 and shall be filed within twenty days after the date of filing of this Decision in the office of the Town Clerk.

TOWN OF MERRIMAC, MASSACHUSETTS

ZONING BOARD OF APPEALS

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Matthew Passeri, Chairman

7:20PM

Adjourn

Joanne made the motion, Ken 2nd the motion Vote 4:0

Matthew Passeri Board Chair