

**HARVARD ZONING BOARD OF APPEALS  
MEETING MINUTES  
MAY 11, 2016  
APPROVED: JULY 13, 2016**

Vice Chairman Robert Capobianco called the meeting at 7:30pm in the Hapgood Room at 7 Fairbank Street under the Zoning Act Chapter 40A and the Code of the Town of Harvard Chapter 125

**Members Present:** Steve Moeser, Robert Capobianco, Orville Dodson and Mike Lawton

**Others Present:** Liz Allard (LUB Admin), Rob Oliva (Ross Assoc.), William Berthoud and Joanne Williamson

**Special Permit Hearing – William Berthoud, 64 Massachusetts Avenue.** Opened at 7:30pm (see page 2 for detailed minutes)

**Election of Officers**

Steve Moeser made motion to postpone the election of officers until all members are present. Robert Capobianco seconded the motion. The vote was unanimously in favor of the motion.

**Joint Meeting with Conservation Commission**

Liz Allard explained to the members that a new application submitted to the ZBA for a Special Permit has also been filed for a Notice of Intent with the Conservation Commission for 111 Clinton Shore Drive. Ms. Allard suggested the two hearings be open concurrently at the June 12<sup>th</sup> ZBA meeting in order to allow for an open dialog amongst the two permitting authorities. Members of the ZBA agreed to the suggestion. Steve Moeser noted the application submitted to the ZBA is missing documents and requested Ms. Allard inform the application that the following is necessary for the ZBA to make an informed decision; a narrative; comparisons of pre- and post- floor/footprint area and a site plan.

**Adjournment**

At 7:44pm Robert Capobianco made a motion to adjourn the meeting. Steve Moeser seconded the motion. The vote was unanimously in favor of the motion.

Signed: \_\_\_\_\_  
Liz Allard, Clerk

## **Zoning Board of Appeals**

### **Special Permit Hearing Meeting Minutes**

#### **William Berthoud, 64 Massachusetts Avenue**

**May 11, 2016**

The hearing was opened at 7:30pm by Vice Chairman Robert Capobianco in the Hapgood Room at 7 Fairbank Street under the Zoning Act, MGL Chapter 40A and the Code of the Town of Harvard, the Protective Bylaw, Chapter 125

**Members Present:** Robert Capobianco, Steve Moeser, Orville Dodson and Mike Lawton

**Others Present:** Liz Allard (LUB Admin), Rob Oliva (Ross Assoc.), William Berthoud and Joanne Williamson

This hearing is for a Special Permit filed on behalf of William Berthoud for an addition to a pre-existing non-conforming structure on a pre-existing non-conforming lot at 64 Massachusetts Avenue, Harvard.

Steve Moeser made a motion to forego the reading of the legal notice. Orville Dodson seconded the motion. The vote was unanimously in favor of the motion.

Rob Oliva, Senior Project Manager from Ross Associates was present to represent the applicant, William Berthoud, who was also present. Mr. Oliva stated the application proposes to raise the second story of the existing structure, with no expansion of the footprint of the existing structure, with the exception of wood patio, which will be replaced with a wooden deck. As a State Road (Route 111) the existing structure does not meet the required 125' setback from the right of way. The expansion of the second floor will allow for a proper master suite on that level, with the remaining rooms to be reconfigured on the first floor. The proposal does not expand the number of bedrooms, as there are three now and it will remain three after the addition of the second floor. Mr. Oliva stated the propose expansion of the dwelling will be no more detrimental to the neighborhood.

Robert Capobianco read the comments received by other Boards and Commissions into the record.

An abutter, Joanne Williamson, stated she thought the addition was a great idea.

Robert Capobianco made a motion to close the evidentiary portion of the hearing. Orville Dodson seconded the motion. The vote was unanimously in favor of the motion.

With no further comments, Steve Moeser made a motion to approve the request for a Special Permit based on that information provided which show the proposed addition will meet the requirements of the Protective Bylaw. Orville Dodson seconded the motion. The motion was unanimously in favor of the motion.

Signed: \_\_\_\_\_  
Liz Allard, Clerk

## DOCUMENTS & OTHER EXHIBITS

### **Special Permit Hearing – William Berthoud, 64 Massachusetts Avenue**

- Site Plan, prepared for William Berthoud, 64 Massachusetts Avenue, Harvard, MA, Job No. 31053, Plan No. L-12918,, dated March, 2016
- Design Studies for the Berthoud Residence, 64 Massachusetts Avenue, Harvard, Massachusetts, prepared by Lindsay Shives Associates, dated Nov 3, 2015
- Note from Gabe Vellante, Building Commissioner, dated 4, Apr '16
- Letter from the Planning Board, dated May 2, 2016
- Letter from the Conservation Commission, dated May 5, 2016