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THE COMMONWEALTH OF MASSACHUSETTS  
TOWN OF LUNENBURG  
ZONING BOARD OF APPEALS

August 18, 2014

**Special Permit for Dimensional Variation**

A Special Permit for Dimensional Variation was granted to Daniel R. & Renee T. Trakimas, 520 Page Street, Lunenburg, MA 01462, under the Lunenburg Protective Zoning By-Law Section 8.3.2.1.b)4. The petitioners were seeking a Special Permit for Dimensional Variation for the construction of a pole shed 25x34. The subject property is located at **520 Page Street, Lunenburg, MA 01462.**

The Board of Appeals of the Town of Lunenburg hereby certifies that a Special Permit for Dimensional Variation has been granted pursuant to the Protective Zoning By-Law of the Town of Lunenburg, Section 8.3.2.1.b)4.

Board Members present: Donald F. Bowen, Chairman, Raymond Beal, James Besarkarski, Alfred Gravelle and Hans Wentrup. Associate members Paul Doherty and David Blatt were present but not voting.

Special Permit for Dimensional Variation has been issued to Daniel R. & Renee T. Trakimas, 520 Page Street, Lunenburg, MA 01462, affecting the rights of the owner with respect to land and buildings at **520 Page Street, Lunenburg, MA 01462**, Book 3041, Page 13 and dated August 1, 1997 as described in plans submitted with the petition. Assessors Map 87, Lot 14.

And the said Board of Appeals further certifies that the decision attached hereto is a true and correct copy of its decision granting said Special Permit, and that copies of said decision, and all plans referred to in the decision, have been filed with the Planning Board and the Town Clerk.

The Board of Appeals also calls to the attention of the owner or applicant that General Laws, Chapter 40A, Section 11 (last paragraph) provides that no variance or special permit, or any extension, modification or renewal thereof, shall take effect until a copy of the decision bearing the certification of the Town Clerk that twenty days have elapsed after the decision has been filed, that it has been dismissed or denied, is recorded in the Registry of Deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The owner or applicant shall pay the fee for such recording or registering.

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Lisa Normandin read the petition into the record. The petitioner Daniel Trakimas explained his request for the construction of a pole shed. Currently Mr. Trakimas has two covered buildings that required yearly maintenance and he would like to upgrade these structures by building a pole shed to accommodate his tractor and equipment to relieve the burden on the chores, the existing covered sheds will be removed. He explained that a pole shed is a building without a foundation that will have twelve telephone poles bored into the ground which will essentially be the pillars of the building covered with roof trusses and a steel roof. The outer shell will be rough sawn wood. Raymond Beal asked why the structure couldn't be located behind the existing shed thereby not needing the Special Permit. Mr. Trakimas explained that located in the rear of the structure is a two stall horse shed and the paddock for the animals. The rear of the land slopes considerably downward. The proposed building as outlined on the plan will enable the applicants to access an existing turnaround area where a trailer manipulate the swing of the driveway to accommodate the moving of the animals and large equipment. Mr. Trakimas explained that the existing island cannot be compromised because the well is located in the middle of it. Raymond Beal commented that while the building as proposed is eighteen feet from the front property line, the road is not a busy area/street so it allayed the concerns with regard to the location of the building.

**MOTION**

After due deliberation Raymond Beal made a motion to grant the Special Permit for Dimensional Variation for the construction of a pole shed 24x35 in accordance with the plans submitted and subsequently on file with the Zoning Board of Appeals. The motion was based on the finding that it would not be more substantially detrimental to the neighborhood and specifically Section 8.3.2.1.b) 4. as outlined below. Alfred Gravelle seconded the motion.

**FINDINGS**

In granting a Special Permit for Dimensional Variation the Board of Appeals specifically found:

- a. The specific site is an appropriate location for such building or alteration.
- b. The proposed building or alteration is compatible with the existing neighborhood with regard to size, location and architecture.
- c. The granting of the special permit for dimensional variation will not adversely affect the neighborhood.
- d. The granting of the special permit for dimensional variation will not unreasonably diminish the available light, air, sunlight and other amenities: and there will be no nuisance or serious hazard to vehicles or pedestrians as outlined in Section 8.3.2.1.

The Special Authorization is granted with the contingency that Daniel R. & Renee T. Trakimas comply with all licenses, regulations, statues and ordinances of any and all applicable state, local and federal board or agencies with jurisdiction over the premises.

The Special Permit is subject to a periodic review by the permit granting authority (Zoning Board) or the Enforcement Officer, to insure compliance with the enumerated conditions. Non-compliance to these conditions may result in revocation of this permit.

After closing the discussion, the Board acting in its capacity as the Special Permit Granting Authority, granted the Special Permit Dimensional Variation with the above members present and voting as follows with respect to the issuance of the Special Permit.

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**VOTE**

Donald Bowen voted in favor of granting the Special Permit Dimensional Variation.  
Raymond Beal voted in favor of granting the Special Permit Dimensional Variation.  
Alfred Gravelle voted in favor of granting the Special Permit Dimensional Variation.  
James Besarkarski voted in favor of granting the Special Permit Dimensional Variation.  
Hans Wentrup voted in favor of granting the Special Permit Dimensional Variation.

In making this determination, the Board specifically found that the granting of this Special Permit and Dimensional Variation would not contravene the purpose of the Protective Bylaws or the provisions of Chapter 40A of the Massachusetts General Laws.

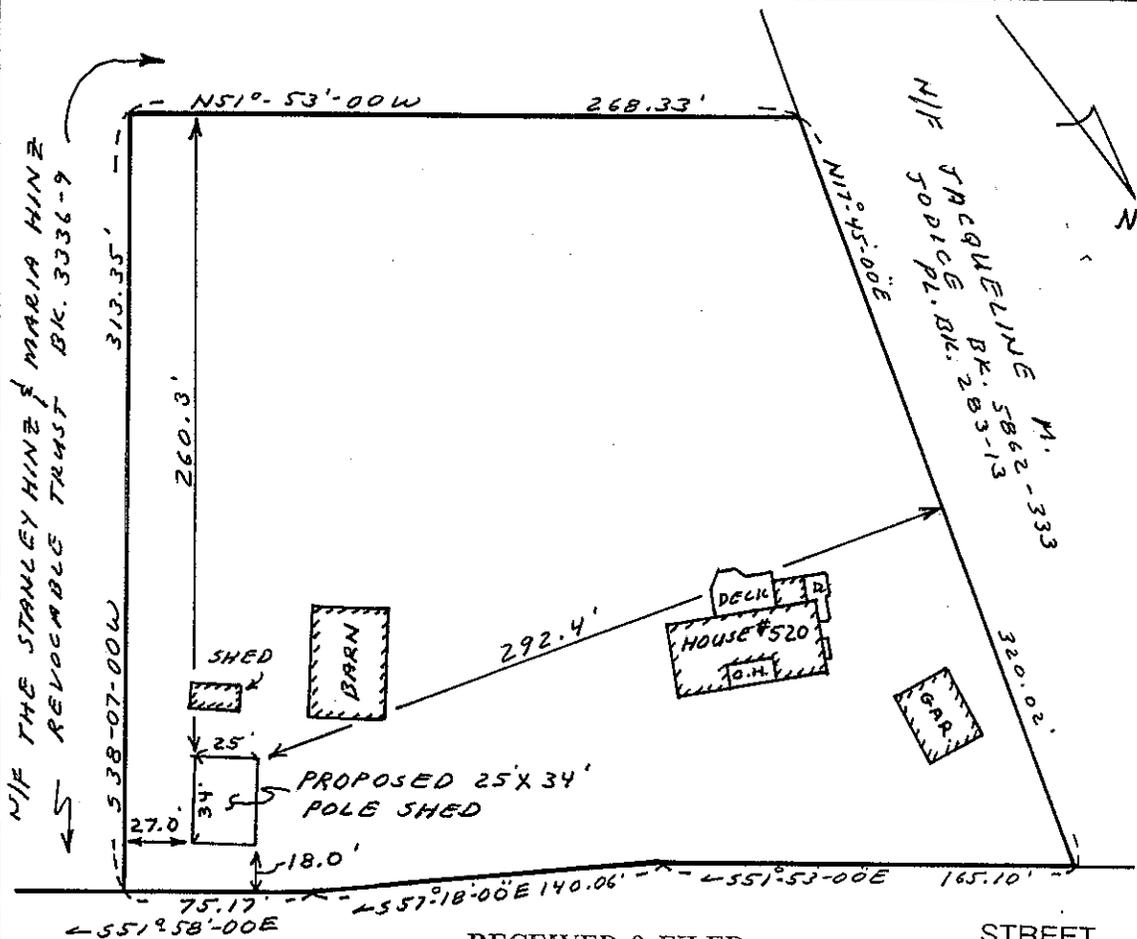
Voted and executed,

  
\_\_\_\_\_  
Donald F. Bowen, Chairman      8/21/2014  
Date

Lunenburg Zoning Board of Appeals  
Special Permit Granting Authority

**JAMES E. GAFFNEY CO.**

Registered Professional Land Surveyor  
 55 ST. JEAN AVE. LEOMINSTER, MA 01453  
 TEL. 978-534-3443 FAX 978-537-9477



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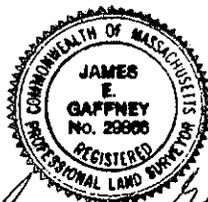
**NOTES:**

Zoning Classification: Residence "A"

Setbacks for proposed pole shed:  
 proposed front yard 18.0' (min. 40')  
 proposed side yard 27.0' (min. 15')  
 proposed rear yard 260.3' (min. 20')

Deed Reference:  
 Daniel R. & Renee T. Trakimas  
 Bk. 3041 Pg. 13

Assessors Reference: Map 87 par. 14



*James E. Gaffney*

" BOARD OF APPEALS PLAN "

JULY 28, 2014  
 Date

*James E. Gaffney*  
 Surveyor # 29866

This plan is for Board of Appeals purposes only and is not to be used for the establishment of property lines, erection of fences and landscaping etc., or for planning or construction of structures other than the proposed additions shown hereon.

LAND IN LUNENBURG, MA
PREPARED FOR <b>DANIEL T. &amp; RENEE T. TRAKIMAS</b>
DATE: JULY 28, 2014 SCALE: 1"=60' DEED REF.: BK. 3041-13, PL. BK. 180-8 PLAN NO.: 7045