

**Zoning Board of Appeals
Woburn City Hall
City Council Chambers
July 18, 2018 – 6 p.m.**

Present: Chairman Margaret M. Pinkham, Member Daniel Parrish, Member Edward S. Robertson, Member John J. Ryan III, Member John D. Ray

Meeting was convened by Chairman Pinkham at 6:10 p.m.

Matadora Restaurant, 2 Forbes Road, Woburn, MA 01801, Petitioner, and Woburn Hotel Property Owner LLC, 125 High Street, Boston, MA 02110, Landowner, for a Variance from the provisions of Sections 13.10.2.1 and 13.10.2.2 of the 1985 Woburn Zoning Ordinance, as amended, to allow for a wall sign at 2 Forbes Road, Woburn, MA (continued from meeting of June 20, 2018): Appearing for the petitioner were Attorney Mark Salvati, 10 Cedar Street, Suite 26, Woburn, MA. Attorney Salvati requested a continuance until the project architect arrives. Motion made by Member Ryan and seconded by Member Parrish to table the matter; approved, 5-0.

Michael T. Roach, 2 Phillips Street, Woburn, MA 01801, Petitioner and Landowner, seeking Variances from the provisions of Section 5.3 and Section 6.1 of the 1985 Woburn Zoning Ordinance, as amended, to allow for a 6-foot fence, and a reduction of the front yard setback, at 2 Phillips Street, Woburn, MA (continued from meeting of June 20, 2018): Appearing were Michael T. Roach and Amy Roach, 2 Phillips Street, Woburn, MA. Chairman Pinkham asked Mr. Roach if he has conferred with the Building Dept. about his fence. Mr. Roach replied he did confirm with the Building Dept. that a variance is required for his entire fence. Chairman Pinkham said she assumes Mr. Roach will be amending his petition to include the proposed 6-foot fence along the southern boundary of his property. Mr. Roach said he is. Member Parrish asked Mr. Roach if he is seeking a vote to that effect. Mr. Roach said he is. Motion made by Member Parrish and seconded by Member Ray to amend Mr. Roach's petition for a variance to include the 6-foot fence along the southern boundary of his property; approved, 5-0. Chairman Pinkham asked if there is any further information Mr. Roach wishes to impart on the board. Mr. Roach said he is seeking a 6-foot fence because a 3-foot fence will not afford him adequate privacy. Chairman Pinkham reported the board received an email from Woburn Police Officer Michael Pacheco who wrote the proposed fence will create no issues with the sight lines at Phillips Street and Middle Street. Member Ray asked Mr. Roach how high the shed on his property is. Mr. Roach said it is about six feet high. Member Ray asked if the roof of the shed is flat or pitched. Mr. Roach said there is about a 1-foot pitch and the height of the shed is roughly seven feet. Mr. Roach submitted pictures of the shed to the board. Chairman Pinkham asked if anyone in the audience wished to address the board about the petition. There were no respondents. Mrs. Roach said he talked with Officer Pacheco. Motion made by Member Parrish and seconded by Member Ray to grant the variance based on the topography of the lot; approved, 4-1, with Chairman Pinkham opposed.

Jeffrey Petty and Maura Petty, 1 Old Farm Road, Woburn, MA 01801, Petitioners and Landowners, seeking Variances from the provisions of Section 5.3 and Section 6.1 of the 1985 Woburn Zoning Ordinance, as amended, to allow for a 4-foot fence, and a reduction of the front yard setback, at 1 Old Farm Road, Woburn, MA (continued from meeting of June 20, 2018). Appearing was Jeffrey Petty, 1 Old Farm Road, Woburn, MA. Chairman Pinkham said a report was received from Woburn Police Officer Michael Pacheco indicating there are no traffic safety issues with the proposed location of the fence. Mr. Petty said he was asked by the board to provide exact measurements from the street. Mr. Petty submitted a drawing showing the distance from his proposed fence to Old Farm Road will be eight feet. Chairman Pinkham said she recalls the portion of the fence along Old Farm Road is going to be picket-style. Mr. Petty said that is correct. Chairman Pinkham asked if the fence from the tree line is going to be solid. Mr. Petty said that is correct. Member Ray asked if the fence along Old Farm Road is going to be eight feet from the property line. Mr. Petty replied it will be eight feet from the road. Chairman Pinkham said it appears the fence will be set back 1.5 feet from the property line, meaning Mr. Petty intends to install a 4-foot fence within 18 inches of the lot line. Chairman Pinkham asked if anyone in the audience wished to address the board about the petition. There were no respondents. Member Ray asked how far off the property line the fence along Burlington Street will be. Mr. Petty said he does not have that exact number. Member Parrish asked Mr. Petty if the fence will be 35 feet or 34 feet off Burlington Street. Chairman Pinkham said the board needs to know the dimensions so the Building Commissioner knows whether the petitioner complies with the plans. Member Ray said the plans Mr. Petty has submitted make it difficult to determine the distances from the property line to the fence. Chairman Pinkham said the Building Dept. will be asking for a specific measurement. She said the board could also condition the variance to read “no closer than” but she thinks it’s incumbent upon the board to have a measurement. Member Robertson asked if the rules specify the board needs to approve something specific. He said there is a plot plan drawn by an engineer but the plan that was submitted tonight was not and asked if either plan conforms to the board’s rules. He said he would be inclined to vote in favor of the variance if it complies with the board’s rules. Member Ray suggested conditioning the variance on the stipulation that front setback from Old Farm Road must be at least two feet, and the setback from Burlington Street must be at least 40 feet. Chairman Pinkham said the plan Mr. Petty submitted tonight is more specific but it still does not indicate distances from the lot lines. She asked Mr. Petty if he wants to wait to provide the board with measurements from the lot lines, or ask for a vote based on Member Ray’s conditions. Mr. Petty said he is comfortable with Member Ray’s conditions. Motion made by Member Ray to grant the variance with the condition the fence must be at least 40 feet off Burlington Street and at least 2 feet off Old Farm Road. Member Robertson asked if the board is going to vote without a plan. Member Ryan said he is inclined to support the petition. Motion seconded by Member Parrish; approved, 4-1, with Chairman Pinkham opposed.

Motion made by Member Parrish and seconded by Member Ray to take from the table the petition of Matadora Restaurant, 2 Forbes Road, Woburn, MA 01801, Petitioner, and Woburn Hotel Property Owner LLC, 125 High Street, Boston, MA 02110, Landowner, for

a Variance from the provisions of Sections 13.10.2.1 and 13.10.2.2 of the 1985 Woburn Zoning Ordinance, as amended, to allow for a wall sign at 2 Forbes Road, Woburn, MA (continued from meeting of June 20, 2018); approved, 5-0. Also appearing for the petitioner was Blake Goodwin, President, Proportion Design, 25 Aquavia Road, Medford, MA. Attorney Salvati said the board at its meeting last month asked to see color renderings and more detail of the mural. Attorney Salvati said the size of the mural has been significantly reduced and the petitioner is now only asking for 25 percent more area than what is allowed. He said the new size of the mural will be 1,023-square-feet with a total of 1,123-square-feet total for the primary signs. He said his client has invested a great deal of money into the hotel and would like greater visibility to attract more patrons to the restaurant. Mr. Goodwin displayed for the board the original and revised versions of the plan. Chairman Pinkham asked what the total area of the façade on the back side of the building is. Attorney Salvati said it is 960-square-feet. Attorney Salvati said the hardship is the wetlands that forced the building to be built where it is, farther back in the lot. Member Ray said he thinks scaling back the size of the mural is a good idea. Attorney Salvati said the revised version of the mural is probably going to work better anyway because of the tree line between the building and Route 93. Chairman Pinkham said one could argue the hotel was built higher because there was less land to build on. Attorney Salvati said he believes the height of the building was going to be the height of the building no matter where it was built on the lot. Chairman Pinkham asked if anyone in the audience wished to address the board about the petition. There were no respondents. Member Robertson asked if there will be floodlights on the ground illuminating the mural. Attorney Salvati said the mural will be lit from below, with lights that are very close to the building. Member Robertson asked if there are any other similar murals or signs along Route 93. Attorney Salvati said he does not think there is an existing mural like this one. He said there are billboards along Route 93 in Stoneham and Wilmington, and there are fairly large signs along Route 128. Motion made by Member Ray and seconded by Member Parrish to grant the variance; motion fails, 3-2, with Member Robertson and Chairman Pinkham opposed.

Michael Thompson, 49 Robinson Road, Woburn, MA 01801, for a Variance pursuant to Section 6.1, Table of Dimensional Regulations, of the 1985 Woburn Zoning Ordinances, as amended, for a reduction in the side yard setback to 10.2 feet to install an addition at 49 Robinson Road, Woburn, MA. Appearing were Michael Thompson and Ann Thompson, 49 Robinson Road, Woburn, MA. Chairman Pinkham said the plans indicate the petitioners are seeking to build a 2-car garage. Mr. Thompson said the garage will also have a room above it. Chairman Pinkham said in order to grant a variance, the board needs to find there is a hardship. Mr. Thompson said there may be a couple of factors the board could deem a hardship. He said the original foundation is slightly askew and the property lines are not quite square. He said he would possibly put the garage in the back of the lot, but there is a downward slope to the property that would make doing that difficult. He said he could backfill the lot to make it level, but it would make drainage on the lot problematic and cost more. Chairman Pinkham said her first reaction was to wonder why the Thompsons aren't building a 23-foot, 2-car garage. Mrs. Thompson said they would need 24 feet to fit two cars into a garage. Member Parrish said 24 feet is the standard for a 2-car garage. Chairman Pinkham asked if anyone in the audience

wished to address the board about the petition. There were no respondents. Member Ray asked Mr. Thompson what he intends to do with the existing dwelling. Mr. Thompson replied he intends to keep it. Member Parrish noted the shape of the land is not square. Mr. Thompson said it is slightly askew. Motion made by Member Parrish to grant the variance based on the shape of the land and the topography, seconded by Member Ryan; approved, 4-1, with Chairman Pinkham opposed.

Jonathan Lilley and Meghan Lilley, 4 Linden Street, Woburn, MA 01801, for a Variance pursuant to Section 6.1, Table of Dimensional Regulations, of the 1985 Woburn Zoning Ordinances, as amended, for a reduction in the front yard setback 10 18.2 feet and a side yard setback to 10.6 feet to install an addition at 4 Linden Street, Woburn, MA. Appearing were Jonathan and Meghan Lilley, 4 Linden Street, Woburn, MA. Chairman Pinkham acknowledged receipt of letters in support of granting the variance from Ward 3 Alderman Mark E. Gaffney, 162 Winn Street, Woburn, MA; and Paul D. George and Patricia Bergeron George, 189 Winn Street, Woburn, MA. Chairman Pinkham said the plans indicate the porch in front of the addition does not comply with the front yard setback. Chairman Pinkham asked when the dwelling was built. Mr. Lilley said the house was built in 1960. He said the existing house is out of conformity by about half a foot. Chairman Pinkham said it appears the plans are not compliant with the setback on the western side. Chairman Pinkham asked what the hardship is. Mr. Lilley said there are outcroppings of stone in the back yard and if he goes too far back he may end up hitting ledge. Chairman Pinkham asked why he wouldn't set back the addition. Mr. Lilley said if he did that he'd be cutting into the opening for the only opening to get into the addition. Member Parrish asked if the Lilleys ought to be seeking a special permit instead of a variance. Chairman Pinkham said her view is the setback has been 25 feet for a while and she does not know if they were off by a foot when they put in their foundation. She said the setback used to be defined by the length of the lot but that was changed in the 1920s or 1930s. She said if there is no enforcement action within 10 years than the use becomes legal non-conforming. She said Mr. Parrish may be correct in that the Lilleys ought to be seeking a special permit. Member Parrish said he would be happy to treat the petition as a request for a special permit. Chairman Pinkham asked if anyone in the audience wished to address the board about the petition. There were no respondents. Chairman Pinkham said the Lilleys' property probably does qualify for legal non-conforming status. She said the standard for a special permit is whether the proposed alteration creates a new non-conformity and whether it is substantially more detrimental to the neighborhood. She said the petitioners can ask the board to treat the application as one for a special permit. (Mr. Lilley signed a form requesting the petition be changed from a request for a variance to a request for a special permit). Motion made by Member Parrish and seconded by Member Ray to grant the request to change the petition to a request for a special permit; approved, 5-0. Motion made by Member Parrish and seconded by Member Ray to grant the special permit with a finding the proposal will create a structure that is not substantially more detrimental to the neighborhood. Chairman Pinkham said the board does not have any plans. Mr. Lilley said there is only a plot plan. Chairman Pinkham asked if the house has siding. Mr. Lilley replied the house is going to have vinyl siding. Mr. Lilley said he is willing to give up the encroachment onto the side setback and that he is more concerned with maintaining the living

space above the garage. Chairman Pinkham suggested adding a condition that the height of the proposed addition must comply with zoning regulations. Motion made by Member Parrish and seconded by Member Ray to grant the special permit, as amended; approved, 5-0.

U.S. Ventures LLC, 39 Industrial Parkway, Woburn, MA, 01801, Petitioner and Landowner, seeking a Variance from the provisions of Section 6.1 of the 1985 Woburn Zoning Ordinance, as amended, for a reduction in the front yard setback from 25 feet to 5 feet, more or less, to allow for a free-standing pylon sign at 39-41 Industrial Parkway, Woburn, MA.

Representing the petitioner were Attorney Patricia DeAngelis, Murtha Cullina, 600 Unicorn Park, Woburn, MA; Michael Musto, CEO, U.S. Pavement Services, Inc., 39 Industrial Parkway, Woburn, MA; and Timothy Williams, Allen & Major Associates, 100 Commerce Way, Woburn, MA. Attorney DeAngelis said the petition before the board is similar to one filed in January 2017 which involved an effort to put a sign within the public right-of-way. She said at that time U.S. Ventures had no legal representation and it was ultimately determined the petition was not properly before the board. She said the current petition places the sign on her client's property. Chairman Pinkham said she has a distant memory of the previous petition. She said she agrees with Attorney DeAngelis in that present application is materially different than the previous application. Member Parrish said he also agrees the applications are materially distinct. Chairman Pinkham suggested the board vote to stipulate the present application is materially distinct from the 2017 application. Motion made by Member Parrish and seconded by Member Ray that the board finds the application for a sign from U.S. Ventures LLC is distinct from the previous application for a sign in 2017; approved, 5-0. Attorney DeAngelis said the sign will be 5 feet from the property line to accommodate the topography. She said the purpose of the sign is to bring business to the company and work as an economic driver. Chairman Pinkham asked what the proposed setback is. Attorney DeAngelis said the proposed setback is 5 feet. She said the proposed location of the sign is consistent with signs at other businesses in the area. Mr. Williams said Industrial Parkway is a 100-foot wide right-of-way and U.S. Ventures owns 39-41 Industrial Parkway and to put in a sign that meets the setback requirement would result in placement right up against the building. He said the placement of the sign appears to be consistent with other properties in the area, including 45 Industrial Parkway and 35 Industrial Parkway. Member Parrish asked if the proposed sign will resemble the signs at 45 Industrial Parkway and 35 Industrial Parkway. Mr. William replied it will. Member Ray said the proposed sign appears to be smaller and shorter than the signs at 35 Industrial Parkway and 45 Industrial Parkway. Chairman Pinkham said the petitioner is not seeking dimensional relief. Mr. Williams said the proposed sign will be 4-feet by 8-feet. Attorney DeAngelis said the only relief her client is seeking is for the setback. Chairman Pinkham asked if anyone in the audience wished to address the board about the petition. Lawrence Guiseppe, 2 Minchin Drive, Woburn, MA, said he is speaking in support of the petition in his capacity as the city's Director of Veterans Affairs. Director Guiseppe said U.S. Ventures is probably the biggest supporter of veterans in the city of Woburn. He said Mr. Musto annually gives gifts to veterans including Red Sox tickets, 60-70 turkeys for Thanksgiving, and 50 Christmas trees. Member Ray asked if there is a flagpole on the property. Mr. Williams said he does not believe there is a flagpole still up. Mr. Williams said all the landscaping on the property has already been done. Motion made by

Member Ryan and seconded by Member Ray to grant the variance, based on the plans provided to the board; approved, 4-1, Chairman Pinkham opposed.

NAI Entertainment Holdings LLC, 846 University Drive, Norwood, MA, 02062, Petitioner and Landowner, seeking a Variance from Section 13.9.2.6 the provisions of the 1985 Woburn Zoning Ordinance, as amended, for a free-standing sign with an area in excess of 100-square-feet and a height greater than 30 feet, at 25 Middlesex Canal Park Drive, Woburn, MA. Representing the petitioner was Wendy Regan, Permit/Compliance Associate, Mandeville Sign, 676 George Washington Highway, Lincoln, RI, and Shaun Judge, Area Manager, NAI Entertainment Holdings LLC, 846 University Drive, Norwood, MA. Chairman Pinkham said it appears the existing sign is going to be removed and replaced by a free-standing sign in excess of 100-square-feet. Ms. Regan said the size of the proposed sign is 199-square-feet and the height of the sign is 102-feet, 7 7/8 inches. She said the decision to put a sign at that high was not a random decision and that actual field tests were conducted to determine the height for the sign. She said the existing sign no longer has any visibility from Route 95. Chairman Pinkham said when Ms. Regan says the sign has no visibility, does she infer there is no visibility at all? Chairman Pinkham said she saw the sign today when she drove the highway. Ms. Regan said she was not part of the photography team, but referred to photograph #2 in the packet of information submitted by the petitioner that indicates the sign is visible about 350 feet from the site. She said the goal is to allow drivers to see the sign prior to the exit to the site. Chairman Pinkham asked if the new sign will have the highway exit number on it. Ms. Regan said it will not. Member Ray said photograph #3 seems to indicate a driver will be already past the exit when they see the sign. Chairman Pinkham asked if all the trees between the highway and the parking lot are on MassDOT property. Ms. Regan said they are. Chairman Pinkham asked if NAI has asked MassDOT to trim the trees. Mr. Judge said no such request has been made, to her knowledge. Ms. Regan said most zoning regulations call for the conservation of natural resources. Chairman Pinkham said she does not believe trees on MassDOT's property would constitute a hardship under the zoning ordinance. Ms. Regan said there is a 15-foot grade change between the paved surface of the highway and the Showcase parking lot. She said she would be extremely surprised if MassDOT would allow the removal or trimming of trees to create more visibility for a sign. Chairman Pinkham said the change in elevation from the highway to the parking lot might warrant a variance in the height of the sign from 30 feet to 45 feet, but not to 100 feet. She said she might be more inclined to support the variance if there was another building between the highway and the cinema. Ms. Regan said that would be a completely different set of circumstances. Chairman Pinkham asked why the decision was made to put the parking lot between the building and the highway. Mr. Judge said the area of the parking lot nearest to Route 95 tends to flood because of the water table, and there is a little river running between the parking lot and the fence that runs along Route 95. Member Ray said there is a 20-foot wide drainage easement on the Showcase property, close to the highway. Member Robertson said he thinks there is a special permit governing the entire property and asked if a variance for a sign would conflict with any of the conditions. Ms. Regan said she did not make any calls to the city about any potential conflict with the special permit. Member Robertson said his sense is there is some sort of provision in the special permit regarding the signage. Member Robertson asked if the proposed sign will be the only sign on the property. Mr. Judge said there

is a sign off Route 38 at the main entrance to the hotel and the cinema. Member Robertson suggested asking the City Solicitor whether the existing special permit has any bearing on the petition for the variance. Chairman Pinkham said it seems the existing sign is in excess of what is allowed and if that was part of the special permit, the board needs to know that. She said she does not see a hardship that justifies the size of the proposed sign nor the height of the proposed sign. She said she will not support the variance. Member Ryan asked if the petitioner has inquired with MassDOT to trim some of the trees. Mr. Judge said no one has, to his knowledge. Mr. Ryan said he thinks that would be something worth exploring, at least for cars exiting the highway. Chairman Pinkham asked if anyone in the audience wished to address the board about the petition. There were no respondents. Motion made by Member Robertson and seconded by Member Parrish to ask the City Solicitor if granting the variance would create any conflicts with the existing special permit for the Showcase Cinemas site; approved, 5-0. Member Parrish said he would like to see what the sign will actually look like, because 100 feet is awfully high. Member Ray said there is a requirement that no residential property can be impacted by a shadow from the sign. Chairman Pinkham said the board's next meeting will be on Wednesday, August 15. Motion made by Member Parrish and seconded by Member Ray to continue the public hearing until August 15; approved, 5-0.

George Kitidis, 2 Sendick Road, Petitioner and Landowner, seeking a Special Permit from the provisions Section 7.3 of the 1985 Woburn Zoning Ordinance, as amended, to allow for the reconstruction of a single-family dwelling at 19 Sonrel St., Woburn, MA. Appearing was Attorney Nicholas Mitrokostas, Goodwin Procter LLP, 100 Northern Avenue, Boston, MA. Attorney Mitrokostas said the home was destroyed by a fire last August and Mr. Kitidis is seeking a special permit to rebuild the structure. He said the proposed dwelling meets all the setback regulations except for frontage. He said the new dwelling is not going to be substantially more detrimental to the neighborhood. Chairman Pinkham asked is the existing home has been razed. Attorney Mitrokostas said the structure is still there. Chairman Pinkham asked when the structure was built. Attorney Mitrokostas said the structure was built in 1960. Chairman Pinkham acknowledged the structure has insufficient frontage but it does comply with front and side setbacks. She said it is a pre-existing non-conforming structure. Chairman Pinkham asked if anyone in the audience wished to address the board about the petition. Valerie Kitidis, 19 Sonrel Street, said her family has been living in a temporary house since the fire. Motion made by Member Parrish and seconded by Member Robertson to grant the special permit; approved, 5-0.

Gabriel Solomon and Leah Bartell, 7 Senator Road, Petitioners and Landowners, seeking a Special Permit from the provisions Section 7.3 of the 1985 Woburn Zoning Ordinance, as amended, to allow for an addition at 7 Senator Road, Woburn, MA. Appearing was Gabriel Solomon, 7 Senator Road, Woburn, MA. Mr. Solomon said he is seeking a variance and a special permit for an attached garage. Mr. Solomon said the home was built in 1954, and a detached garage was added in 1957. He said there was another addition in 1980. Chairman Pinkham asked if there were any permits pulled for the addition that was built in 1957. She said at that time the setback requirements were 7 feet and the back corner of the garage complied but the setback for the front corner was only 6 feet. Mr. Solomon said he is not sure if there was a

building permit for the garage, and he has checked with inspectional services. Member Robertson said Mr. Solomon has prepared three distinct additions and asked what the proposed increase in square footage will be. Mr. Solomon said the area of the house will be 2,111-square-feet, of which 1,200-square-feet will be new. Member Ray said the proposed garage is 12-feet wide and the footprint is 599-square-feet. Motion made by Member Robertson to grant the variance and special permit. Chairman Pinkham asked if anyone in the audience wished to address the board about the petition. Brian Moloney, 9 Senator Road, said he is in favor of granting the special permit. He said his only concern is water, but otherwise he has no issues with the petition. Motion to grant the variance and special permit seconded by Member Ray. Motion to grant the special permit approved, 5-0. Chairman Pinkham said the garage was built 60 years ago and it is a legal non-conforming structure. Motion to grant the variance approved, 5-0. Clerk of the board asked which plan the board wished to approve. Mr. Solomon said the plan for which he is requesting relief is the one labeled “option #1.”

Gabriel Solomon and Leah Bartell, 7 Senator Road, Petitioners and Landowners, seeking a Variance from the provisions Section 6.1 of the 1985 Woburn Zoning Ordinance, as amended, to allow for a reduction to 5.7 feet in the side setback for an addition at 7 Senator Road, Woburn, MA. See previous agenda item.

William Penny, 110 Winn Street, Suite 203, Petitioner, and Erin Daly, 7 Beacon Street, Landowner, seeking a Variance from the provisions Section 6.1 of the 1985 Woburn Zoning Ordinance, as amended, to allow for a reduction to 17.1 feet in the rear setback for an addition at 7 Beacon Street, Woburn, MA. Appearing for the petitioner were William Penny, President, Andover Renovation Solutions, 110 Winn Street, Woburn, MA, and Matthew Daly, brother of the landowner. Mr. Penny said the house is a pre-existing non-conforming use and relief from the rear setback requirement is needed for the addition. He said after listening to previous petitions he may require a special permit instead. Chairman Pinkham asked when the house was built. Mr. Penny said the house was built in 1850. He said the proposal is to put in a garage and eliminate a non-code compliant stair system. He said the garage will be made as narrow as possible – 21 feet to fit two cars. He said the standard width of a garage is 24 feet. He said the basis for relief is the shape of the lot and the topography, which he said drops off dramatically. Chairman Pinkham said the lot is definitely a pork chop lot. Chairman Pinkham asked if anyone in the audience wished to address the board about the petition. Mr. Daly said he is attending the hearing in lieu of his sister, who is unavailable. Member Parrish said he would be ok supporting either a variance or a special permit. Motion made by Member Ray and seconded by Member Parrish to grant the variance; approved, 5-0.

William Penny, 110 Winn Street, Woburn MA, Petitioner, and Robert Gonsalves, 2 Hyde Avenue, Landowner, seeking a Special Permit from the provisions Section 7.3 of the 1985 Woburn Zoning Ordinance, as amended, to allow for an addition at 2 Hyde Avenue, Woburn, MA. Appearing were William Penny, President, Andover Renovation Solutions, 110 Winn Street, Woburn, MA; and Robert Gonsalves, 2 Hyde Avenue, Woburn, MA. Mr. Penny

presented a petition signed by the following neighbors, who indicated they have no objection to the planned addition and renovation: Cathy and Ralph Deeparolisa, 68 Beach Street; Brian and Meg Meaney, 3 Dearborn Drive, Melissa and Greg Cushing, 66 Beach Street; Beth Hendricks, 8 Hyde Avenue; Ryan McCullough, 7 Maple Avenue; and Guy Desrosena, 3 Hyde Avenue. Mr. Penny said he was hired by Mr. Gonsalves to design a garage with a bedroom on the top floor. He said he applied for a special permit because the structure is way too close to the street. Mr. Penny said the porch is 9 feet from the property line. He said Hyde Avenue is a small, narrow street. He said the property slopes significantly in the back, and there is also some ledge on the property. He said the proposed front setback is 17.3 feet. Mr. Gonsalves said the home was built in 1925. Chairman Pinkham said the only non-conformity is the front yard setback. Member Ray noted the proposed garage is 24 feet wide. Chairman Pinkham said there is a lot more room on this lot than there was in the previous petition. Chairman Pinkham asked if anyone in the audience wished to address the board about the petition. Meg-Ann Meaney and Brian Meaney, both of 3 Dearborn Terrace, Woburn, MA, said they support the approval of the special permit. Motion made by Member Parrish and seconded by Member Ray to grant the special permit; approved, 5-0.

Gabriel Solomon and Leah Bartell, 7 Senator Road, Petitioners and Landowners, seeking a Variance from the provisions Section 6.1 of the 1985 Woburn Zoning Ordinance, as amended, to allow for a reduction to 5.7 feet in the side setback for an addition at 7 Senator Road, Woburn, MA. Appearing was Gabriel Solomon, 7 Senator Road, Woburn, MA, who said he had to raise the roof of his proposed addition and wanted to make sure the board had approved the correct plan. Motion made by Member Ray and seconded by Member Robertson to accept additional material from Mr. Solomon; approved, 5-0.

Approval of minutes from the Board's meeting on June 20, 2018: Chairman Pinkham suggested two changes to the draft version of the minutes. Motion made by member Parrish and seconded by Member Ryan to approve the minutes of the June 20, 2108 meeting, as amended, 5-0.

Motion made by Member Parrish and seconded by Member Ray to adjourn; approved, 5-0. Chairman Pinkham adjourned the meeting at 8:30 p.m.