

Zoning Board of Appeals Minutes
Selectmen's Room, Middleborough Town Hall
10 Nickerson Avenue, Middleborough, MA 02346
January 27, 2022

Chairman Darrin DeGrazia, Dr. Edward Braun, Matthew Maher, Joseph Mandile and Sandy Abban were present.

7:30 P.M. Minutes

Upon a motion made by Matthew Maher and seconded by Joseph Mandile, the board

VOTED: ***to approve the minutes of December 9, 2021.***

Unanimous vote.

7:30 P.M. Nicholas Leing for Benchmark Construction – 21 Rice Street

Chairman Darrin DeGrazia read into the record the legal advertisement and declared the hearing open. Chairman Darrin DeGrazia informed the board the applicant has requested a continuance to address some concerns regarding drainage.

Upon a motion made by Matthew Maher and seconded by Joseph Mandile, the board

VOTED: ***to continue the hearing until February 10, 2022.***

Chairman Darrin DeGrazia, Dr. Edward Braun, Matthew Maher, Joseph Mandile and Sandy Abban were in favor. (5-0)

7:32 P.M. Scott and Maureen Pachucki - 19 Meadowbrook Lane

Chairman Darrin DeGrazia read into the record the legal advertisement and declared the hearing open.

Maureen Pachucki informed the board that they are requesting approval to have a family accessory apartment in the basement of their home for her husband's parents John and Barbara Pachucki.

Chairman Darrin DeGrazia read into the record the following letters: letter dated December 29, 2021, from Robert Whalen, Building Commissioner; letter dated January 5, 2022, from Michael Bumpus, Water Superintendent; letter dated January 10, 2022, from Patricia Cassady, Conservation Agent; letter dated January 13, 2022, from Kayla Smith, Health Officer and a letter dated January 4, 2022, from Chris Peck, Director of Public Works.

The board reviewed the plans submitted. Dr. Edward Braun informed the applicant that if his parents no longer reside there they would have to come back to the board for a name change. Maureen Pachucki said she understands that.

Chairman Darrin DeGrazia said the Board of Health is requesting a floor plan to show the bedroom count. Maureen Pachucki had the full plan for the board to review. There are three bedrooms on second floor, one on the first floor, and on in the basement for a total of five bedrooms. The septic is a five bedroom design. The board will send a copy of this to the Board of Health.

Chairman Darrin DeGrazia asked if anyone would like to be heard on this matter. Hearing no comments Chairman Darrin DeGrazia closed the hearing and called for a motion.

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Upon a motion made by Joseph Mandile and seconded by Matthew Maher, the board

VOTED: ***to approve the petition of Scott and Maureen Pachucki, 19 Meadowbrooke Lane, Middleborough, MA 02346 relative to their request to be granted a special permit pursuant to Section 7.3 of the Middleborough Zoning By-laws to allow for a family accessory apartment located in the basement of the existing single family dwelling for John & Barbara Pachucki. The subject property is located at 19 Meadowbrooke Lane, Middleborough Assessor's Map 024, lot 5847. This is approved subject to the following stipulations:***

- 1. As per the plans submitted and dated 4-16-2021.***
- 2. This is limited to John and Barbara Pachucki. If they no longer resides in the property the applicant shall come back to this board for a name change.***
- 3. Subject to the Board of Health approval of the septic system.***

Chairman Darrin DeGrazia, Dr. Edward Braun, Matthew Maher, Joseph Mandile and Sandy Abban were in favor. (5-0)

Upon a motion made by Dr. Edward Braun and seconded by Matthew Maher, the board

VOTED: ***to adopt the following findings:***

- 1. The proposed site is appropriate for use or structure. It is noted that the passing public would not realize the accessory apartment was there.***
- 2. Adequate and appropriate facilities will be provided to insure the proper operation of the use, structure or condition. It is noted that this subject to the Board of Health's approval.***
- 3. Traffic flow and safety, including parking and loading are adequate and there will be no nuisance or serious hazard to vehicles or pedestrians.***
- 4. Adequate water, sewer and other utilities as well as other public and private services are provided.***
- 5. The use involved will not be detrimental to the established or future character of the neighborhood and town and is subject to appropriate conditions and safeguards. It is noted that this is limited to John and Barbara Pachucki and if they is no longer a resident the applicant would have to come back to this board.***

Chairman Darrin DeGrazia, Dr. Edward Braun, Matthew Maher, Joseph Mandile and Sandy Abban were in favor. (5-0)

Upon a motion made by Dr. Edward Braun and seconded by Matthew Maher the board

VOTED: ***to adjourn at 7:50 P.M.***

Chairman Darrin DeGrazia, Dr. Edward Braun, Matthew Maher, Joseph Mandile and Sandy Abban were in favor. (5-0)