



Zoning Board of Appeals

Minutes of Tuesday, November 10, 2020 – 9:30 am

Meeting held via Zoom Platform

Board of Appeals members present: Charles Dudek, Gerry Mann & Paul Kennedy

Applicant to speak to board: Larry Holmberg & Mickey Cichy

Public: Mary Colwell, Chris Lee (Backyard ADUs)

(CD) opened the public hearing by reading the public notice that was published and mailed to abutters. 5 Main Street LLC and Stanley Oliver 7, LLC of 5 and 7 Main Street are owned by separate LLC's that are managed by the same people. The two LLCs are seeking a variance as required by Section 9.0b of the Zoning Bylaw of Williamsburg. The properties are identified as Assessors Map J, Lots 131, 132 and 133. Mickey Cichy is a principal of both LLCs. Both properties are in the Village Mixed Zone and 5 Main Street is currently a commercial garage and 7 Main Street is a residential dwelling. The actual boundaries of the two properties have long been in dispute and the Cichy family, who owned 5 Main Street, purchased 7 Main Street to settle the dispute over the property line. Mr. Cichy would like to settle the boundary issues with a permanent fix, clarifying the boundary and adjust the square footage of each property. Each property will convey some land to the other. The garage currently encroaches onto the residential property. The readjustment will not affect any of the abutters nor change the physical appearance of the structures contained therein.

Mr. Holmberg stated that #7 benefitted from #5. Due to estate planning the owner wants to correct the boundary line and makes both properties easier to sell at some later date. The plan is to convey river front area (882 sq. ft) which is located behind the garage and owned by 5 Main Street LLC to Stanley Oliver 7, LLC who owns 7 Main Street. Stanley Oliver 7, LLC will convey the retaining wall and the encroachment at the front of the property (2464 sq. ft) to 5 Main Street LLC. These conveyances are listed on the accompanying map.

(GM) asked if there are any plans to expand either building or any construction that will take place? Mr. Cichy does not want to rule out any future construction as that may be possible down the road.

Mary Colwell, who is an abutter, wanted to see the plans. She agreed that the swap of land makes sense.

Motion made to close the public hearing. Motion so voted. Motion made and seconded to open the decision meeting. Motion so voted.

The Zoning Board of Appeals were in unanimous agreement that all their questions were answered and that the swap would improve the situation. Motion made and seconded to approve the variance as presented.

GM-Aye

CD-Aye

PK-Aye

(GM) will write the decision. Motion made and seconded to close the decision hearing. Motion so voted.

Chris Lee from Backyard ADUs of Easthampton had corresponded with the Building Inspector regarding detached structures and accessory apartments. Mr. Lee understands the Zoning Bylaws to not forbid detached structures. He is working with a property owner on Maple Street. He requested an informal meeting with the ZBA

(GM) noted the changes in the Bylaws from several years ago brought by the Planning Board regarding accessory apartments held several public meetings. There was much vocal opposition by the public to not allow detached accessory apartments in

the new Bylaws. There were two public meetings prior to the Annual Town Meeting where the bylaws were approved with no accommodation to allow detached accessory apartments.

Mr. Lee asked about an addition for an accessory apartment. Two-family homes are allowed by right in Williamsburg as long as the building and property conform to lot size in allowing the expansion. The two-family home must be one principal structure.

(CD) suggested Mr. Lee or the property owner speak to the Planning Board as they write the Bylaws or suggest changes to current Bylaws.

Motion made and seconded to adjourn. Motion so voted

Respectfully submitted,

Brenda Lessard, Secretary