

Zoning Board of Appeals

City Council Chambers

Woburn City Hall

Wednesday, January 15, 2025 – 6:00 p.m.

Present: Chair Margaret Pinkham, Member John Ryan, Member Daniel Parrish, Member Anne Chatfield, and Member Richard Clancy. Absent: Alternate Member Mark Cavicchi

- 1. Michael Booker, 10 Barbara Circle, Woburn, MA, Petitioner and Landowner, seeking a Special Permit from Section 7.3 of the 1985 Woburn Zoning Ordinances, as amended, to build a 2-story addition and a porch at 10 Barbara Circle, Woburn, MA:** Representing the applicant were Michael and Alison Booker, 10 Barbara Circle, Woburn, MA. Mr. Booker said they are seeking to put an addition onto their split level house. He said the bottom floor will be an office and the top floor will be living space. He said there is a 20-foot drainage easement and even though it looks like they have a lot of space there is not. He said they plan on having children and will need the space. Mr. Booker handed out a piece of paper with three photographs of the existing house. He said the deck is a pre-existing, non-conforming structure. He said the top photo shows a stairwell to a sliding door that will be moved to the left side of the house. Chair Pinkham asked if the addition is doing to be on the same footprint as the existing deck. Mr. Booker said it will be on roughly the same footprint. Chair Pinkham asked if anyone in the audience wished to address the audience in regard to the petition. There were no respondents. Motion made by Member Parrish and seconded by Member Ryan to grant the special permit; approved, 5-0.
- 2. Christopher Scichilone & Merissa Milano, 3 Perry Place, Woburn, MA, Petitioners and Landowners, seeking a Variance from Section 6.1 of the 1985 Woburn Zoning Ordinances, as amended, for a reduction of the rear yard setback from 30 feet to 23 feet to build an addition and a deck at 3 Perry Place, Woburn, MA:** Chair Pinkham said there is a discrepancy between the lot lines on the assessors map and the lot lines on the plot plan. She said the plot plan indicates the existing rear yard setback is 34.3 feet. She said in order to grant a variance the board needs to determine there is a hardship under the statutory definition. She asked what the applicants are citing as a hardship. Ms. Milano said there is an easement on the property. She said there is an issue with topography, and there is potentially ledge on the property. She said the plan that was submitted has a least impact on the neighbors. She said there is a paper street in the back. Chair Pinkham said the paper area is not on their property. Mr. Scichilone said there is ledge in front. He said the back yard is hilly. He said the easement is eight feet long. He said they want to build an addition to accommodate their growing family. Chair Pinkham said the property the applicants do not own cannot serve as the basis for a variance. Chair Pinkham said it looks like there is a large side yard. Mr. Scichilone said the topography is very high. He said the area where the proposed addition is going to be located is very level. Chair Pinkham said it looks more like a gentle slope. She asked if the applicants could support their claim of ledge on the property. She said the applicants indicated there

is a possibility there is ledge on the side yard. Mr. Scichilone said there is a fence at the boundary of 56 Elm Street, and the fence is falling down due to the ledge. Chair Pinkham said the area map shows there is a 52 Elm Street and a 58 Elm Street. Mr. Scichilone said he is referring to 52 Elm Street. Member Parrish said when he saw this, it almost looks like the house is placed where it is because of the ledge on the side yard. He asked if the topography increases on the side yard. Mr. Scichilone answered affirmatively. Member Parrish said it does look like the house was built where it is because of the elevation. Member Ryan said he concurs with Member Parrish. He said it looks like there is a 25 foot rise from the corner of Elm Street and Perry Place to the abutter's property. He said it looks like that side is quite sloped. He said he does not know about ledge, but he does see slope being a hardship. Member Clancy said he agrees. Mr. Scichilone said there is long slope going toward 58 Elm Street. Chair Pinkham said from the topographic lines on the area map it looks like there is four foot rise to 138 feet elevation from 134 feet elevation. Member Parrish said he does not see the 138 foot delineation. Chair Pinkham said the topographical lines on the area map are very faint. Chair Pinkham asked if anyone in the audience wished to address the board in regard to the petition. Amy Ryan, 58 Elm Street, said there is a paper street that separates her property from the applicants' property. She said the applicants' property is one big slope. She said the applicants' driveway goes down. Clerk said the applicant has submitted 10 letters of support from neighbors. Ms. Milano said all the letters are from abutters. She said there is a mix of residents from Elm Street and Ward Street. Motion made by Member Parrish and seconded by Member Ryan to grant the Variance based in the topography of the locus; approved, 4-1, with Chair Pinkham opposed.

3. **Approval of minutes from meeting of December 18, 2024:** Chair Pinkham said she has given the clerk an edited copy of the minutes from December. Motion made by Member Parrish and seconded by Member Ryan to approve the minutes of December 18, 2024, as edited by the chair; all in favor, 5-0.
4. **Any other matters that may be legally before the board:** Chair Pinkham said the board's next two meetings will be held on February 19, 2025; and March 12, 2025.
5. **Motion made by Member Chatfield and seconded by Member Parrish to adjourn;** approved, 5-0. Chair Pinkham adjourned the meeting at 6:28 p.m.

ATTEST:

Gordon Vincent

Clerk of the Zoning Board of Appeals

