

HANSON BOARD OF APPEALS  
Minutes of Public Hearing February 27, 2024

Board Members present: Sean Bickley, Chairman  
Michael Fleming, Vice-Chair  
Christopher Costello, Clerk

Petitioner: Deborah J. Perkins Trustee – Case#23DC21  
82 Tavern Waye – 7:00 PM  
Section 13 Appeal  
(cont. from 1/23/24)

Town Counsel Steve Chaplin for the Board of Appeals  
Atty. William Sims for the Petitioner

Atty. Sims stated that he was not going to repeat everything that was said at the last hearing as all are familiar with the presentation that was made and felt that the hearing was continued because basically the question was brought up about the A/R plan previously endorsed. The concern is about the “abut” issue. Sims continued on about the endorsement of the A/R plan being not buildable has no context, no value, no significance as far this Board is concerned. This board is the one that determines whether or not the property is buildable – the Planning Board notations on an A/R plan has no substantiation. The BOA’s are the ones who decide whether or not the property is buildable.

Sims continued that there was a concern about the word abut and under the zoning by-laws an access portion cannot abut another access portion and as you can see on the Plan this is where the proposed house location is – this is the access portion – and in between there is this tract which separates them and does not provide direct abutment so Sims feels that they are fully in compliant with the zoning by-law as it is presently written, constituted and understood.

The zoning by-law says no access portion shall be allowed to abut within the frontage distance equal to the frontage requirement in the zoning district of the lot. So what the last half of that says is 175’ – that’s what the zoning requirement is in this zoning district.

Chairman Buckley asked the other Board members if they had any comments and both responded that they did not.

Motion made to overturn the decision of the Building Inspector to deny a building permit on the application of Deborah J. Perkins Trustee at 82 Tavern Waye: Sean Buckley

Second: Michael Fleming

Vote: 3-0