



City of Marlborough
Zoning Board of Appeals
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2025 JAN 13 AM 9:57

Meeting Minutes

For Meeting Held: Jan 7, 2025 7:00 PM, at 3rd Floor, Memorial Hall, City Hall, 140 Main Street, Marlborough.

Members Present: Ralph Loftin-Chairman, Robert Levine, Thomas Pope, and Thomas Golden.

Members Absent: None.

Also Present: Tin Htway – Building Commissioner, William Paynton – Assistant Building Commissioner, Craig Sullivan - ZBA Secretary

Items Discussed:

1. Zoning Board of Appeals Case # 24-6

Applicant: Sergio Ribeiro

Location of Subject Property – 61 Lincoln St. Map 57 Parcel 247

Petition: The applicant seeks to renovate and add a second dwelling unit to a legal preexisting nonconforming single-family residence at 61 Lincoln St. First, the Board shall determine whether the applicant qualifies for a 2-family dwelling with a section 6 finding under 650-18A 2(a). Second, as the property is located in zoning district (RB) which requires a special permit to add a second dwelling, the Board will determine if a special permit can be granted in compliance with Chapter 650, Article 41 of the Marlborough Zoning Ordinance. This construction requires a special permit from the Marlborough Zoning Board of Appeals.

Mr. Loftin – Chairman stated that the minimum requirement to have a two-family dwelling is that the house needs to be 1800 square ft. which it currently is not. If the renovation is allowed to be done, then that requirement would be met.

Tin Htway – Building Department stated that the current plans are not stamped correctly. They are currently stamped by P.E. and that the plans will have to be resubmitted with a stamp and signature by a land surveyor.

Mr. Loftin asked how many parking spots the dwelling will have? The answer was 4. Mr. Levine asked if the parking lot would be asphalt and applicant said yes. There will be off street parking and the driveway will be made of asphalt. Lot coverage is pre-existing non-conforming. Any paving to accommodate parking must not add to the lot coverage non-conformity.

Ralph Loftin mentioned that plans show a stairway at the side of the house, which is not acceptable. Mr. Ribeiro stated that the construction will be modified to place the stairway at the rear of the house, and that the revised plans will show this.

Bob Levine noted that before the Board considers a vote, they should see the new plans, he would like to see the new plans stamped correctly showing the stairs outside the rear of the house. The Board agreed with that. So, it was decided that the applicant would get the new plans prepared reflecting the new outside rear staircase and have it properly stamped by a licensed Land Surveyor.

The applicant was concerned about having enough time to find an architect to do the change to his plans. The board will give him almost two months to do that. Building Commissioner Tin Htway stated that if the applicant is up against the timeline he could "withdraw without prejudice" or request an extension. The applicant assured the Board he would do anything that needed to be done to get the special permit. The Board agreed to continue the hearing and give him time to produce the stamped, revised plan.

Tin Htway suggested after the plans are done, and before the next ZBA hearing, the applicant should bring plans by his office so he could review and ensure they are legal and ready to be voted on at the next ZBA hearing.

There was a discussion by the Board on what day they should meet and review the new plans. The last day to vote for on this case, within the required 100 days, without an extension, is March 15, 2025. The Board agreed that March 4th would work for all of them. With the applicant's consent the hearing was continued to the March 4, 2025 meeting date.

On a motion by Chairman Loftin, seconded by Board Member Pope, to adjourn, the Board voted unanimously 4-0 to adjourn. Meeting was adjourned at 8:00.

Minutes prepared by:

Craig Sullivan - Secretary
Zoning Board of Appeals

Respectfully submitted:

Ralph Loftin, Chairman
Zoning Board of Appeals