



**Town of Becket
Zoning Board of Appeals
557 Main Street
Becket, Massachusetts 01223
Phone (413) 623-8934 Ext. 122**

Meeting Minutes for June 6, 2023

Board Members present: Alvin Blake, Christopher Milenkevich , Jeffrey Wilkinson and Robin Mathiesen

Board Members Present via Zoom: Sarah Hoecker

Board Members Absent: Victoria Bleier, and Mary Canty

Administrative Assistant: Tess Lundberg

Public Present: none

Public Present via Zoom: Hope Mabrey

1. **Call to Order-** Sarah Hoecker calls the meeting to order at 6:00 PM. Ms. Hoecker introduces the Board members present

2. **Board to review and approve the minutes of May 2, 2023.** Al Blake makes a motion to approve the minutes for May 2, 2023. Robin Mathiesen seconds the motion. Al Blake votes in favor. Sarah Hoecker votes in favor. Robin Mathiesen votes in favor. Chris Milenkevich votes in favor. Jeffrey Wilkinson votes in favor. **Motion passes.**

3. **New Business**

a. **Informal Discussion- 0 Gentian Hollow Rd 407-102** Hope Mabry. Ms. Hoecker invites Ms. Mabrey to address the board. Ms. Mabrey states the property was purchased as one lot but is technically two lots and she is paying two road maintenance fees. Ms. Mabrey states she would like to build on the lot with 180 foot frontage, Ms. Mabrey states the Building Inspector told her she would need some kind of official approval from the Zoning Board to do this. The Board looks at the 1973 Becket Woods plan from the Registry of Deeds. Mr. Milenkevich asks which lots on the 1973 Becket Woods plan belong to Ms. Mabrey. Ms. Mabrey states lots 138 and 139. Ms. Mathiesen asks which lot Ms. Mabrey wishes to build on. Ms. Mabrey states she wished to build on lot 138, with a long driveway. Mr. Blake states lot 139 has about a 250 foot frontage, and asks if there is some reason Ms. Mabrey does not wish to change the lot lines. Ms. Mabrey states she was told by an engineer it would cost at least \$8,000 to re-survey the lots. Mr. Blake states his opinion is Becket Woods may not allow the lot to be developed if it has less than a 200 foot frontage. Mr. Wilkinson states he is not sure the ZBA can if you had a non-conforming lot adjacent to a conforming lot and the town combined them as one. Ms. Mabrey states if it was one lot then she should not be paying two road maintenance fees. Ms. Hoecker asks if she receives one property tax bill. Ms. Mabrey states she gets one property tax bill, two Becket Woods road maintenance bills. Ms. Hoecker states it sounds like the bylaws would say once owned contiguously it would be one lot. The Becket Woods fee would have to be taken up with them. Ms. Mabrey states the tax



**Town of Becket
Zoning Board of Appeals
557 Main Street
Becket, Massachusetts 01223
Phone (413) 623-8934 Ext. 122**

Meeting Minutes for June 6, 2023

assessor said the previous owner had it registered as one lot. Mr. Wilkinson states he believes this was a legal lot in 1973 when the Becket Woods plan was filed, but the zoning laws changed the next year. Ms. Mabrey asks how can she build on this lot and not have to pay \$8,000 to have it surveyed. Mr. Wilkinson states he thinks this is one lot, she would have to get it resurveyed and go to the town to separate the lots. Ms. Hoecker states it sounds like it is considered on lot by the tax assessors office, you could build on the section you want and then deal with splitting the lot later. Mr. Wilkinson asks if Ms. Mabrey has discussed the situation with an attorney. Ms. Mabrey states she has not discussed it with an attorney, she has discussed it with a realtor and the tax assessor. Ms. Mabrey states it doesn't make sense to her that Becket Woods considers this to be two lots and the town considers it to be one lot. Mr. Wilkinson states if you intend to separate the lots down the road, or if you intend to keep it as one lot and argue with Becket Woods about the 2 road fees, it would be worth getting an attorney. Ms. Mabrey states my preference I to build on both lots but I don't want to spend \$8,000 to move a property line 20 feet. Ms. Hoecker states you might want to first ask Becket Woods if they are going to allow the 180 foot frontage lot. Ms. Mabrey states she is not in the HOA, she is only in the Road District. Ms. Mabrey states she had to submit her driveway plan to the Road District. Ms. Mabrey states an attorney verified she is not in the HOA, Ms. Mabrey states she will pay the two road district fees if both lots are buildable.

Mr. Milenkevich states in the eyes of the town it appears to be one lot. Mr. Milenkevich states Ms. Mabrey should speak to the Road District to confirm if there will be any problems, and have an attorney talk with the tax assessor and Road District so everyone is on the same page, then make a decision. Mr. Milenkevich states he would consider it premature to apply for a special permit or a variance at this time. Mr. Wilkinson states you would probably want to confirm if it is one lot, two lots, or can be split, because it would effect where you build. Mr. Wilkinson states you would need to go to the town to apply for a subdivision and you should speak to the HOA, Ms. Mabrey states in her opinion she is not subject to any HOA rules because she is only paying road maintenance fees to the road district. Ms. Mabrey states she will go forward presenting the entire road frontage.

b. Informal Discussion- 50 Dawn Drive. Ms. Lundberg states the application was received without requesting an informal discussion beforehand. Ms. Lundberg states she notified the applicant that they would be added to tonight's agenda for an informal discussion and recommended that the applicant attend. Ms. Lundberg asks the board if Zoning Law 3.4.7 Reconstruction after Catastrophe or Demolition impacts this application. The board looks over the application received. The applicant is not present at the meeting. Mr. Milenkevich states if they are reconstructing within 2 years of a demolition they can do that as a one family. Mr. Milenkevich states he does not think they would need a permit from the Planning Board under 3.4.7, and if they are building in the same footprint he does not think they would need a



**Town of Becket
Zoning Board of Appeals
557 Main Street
Becket, Massachusetts 01223
Phone (413) 623-8934 Ext. 122**

Meeting Minutes for June 6, 2023

permit from ZBA under 3.4.5. Mr. Wilkinson states he thinks someone should speak to the Building Inspector because he thinks the BI would have the authority to do this. Mr. Blake states the ZBA chairperson should speak to the Building Inspector and clarify that this is not under ZBA jurisdiction. Ms. Hoecker states she will contact Building Inspector Paul Greene.

4. Old Business- none

5. Public Input - none

6. Any other business to come before the Board -none

7. Budget – no discussion

8. Board election, The Board agrees, since Ms. Bleier is not present, to delay the board election to the July 11, 2023 meeting

9. Adjournment- Mr. Blake makes a motion to adjourn the meeting. Ms. Mathiesen seconds the motion. Mr. Blake votes in favor, Ms. Hoecker votes in favor, Ms. Mathiesen votes in favor, and Mr. Milenkevich votes in favor, Mr. Wilkinson votes in favor. **Motion passes.**

Meeting is adjourned at 6:45 PM

Meeting Minutes reviewed and approved July 11, 2023 by:

Victoria Bleier



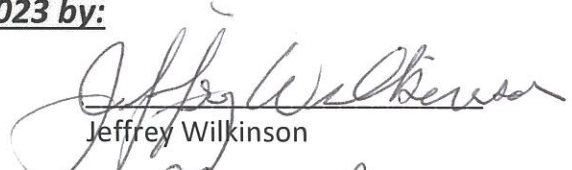
Sarah Hoecker



Robin Mathiesen



Christopher Milenkevich



Jeffrey Wilkinson



Alvin Blake

Mary Canty