THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF LUNENBURG
ZONING BOARD OF APPEALS
October 28, 2026
Minutes

The Lunenburg Zoning Board of Appeals held a meeting on Wednesday, October 28, 2026, at 7:00 p.m. The hearing was held at the Lunenburg Town Hall, 2nd Floor, Joseph F. Bilotta Meeting Room, 17 Main St. Lunenburg, MA.

To hear the petition of Thomas and Kelly Pendergast, who were seeking a Special Permit for Dimensional Variation relative to Side Setbacks; 250-5.2 E (2)(a), for the addition of an attached ADU

To discuss and vote on how the board will approve minutes.

Board Members Present: Alfred Gravelle, Chairman, Patrick Callahan, Karen Menard, Anthony Nicastro, and Associate Member Donald Gurney
Board Members Not Present: David Blatt

DISCUSSION – 440 Howard St. - Special Permit

The meeting was held at Lunenburg Town Hall, 2nd Floor, Joseph F. Bilotta Meeting Room, 17 Main St., Lunenburg, MA 01462 on October 28, 2026, at 7:00pm. The public hearing was opened, and Chairman Gravelle introduced the Board Members and explained the hearing procedures. Leigh Bain, Board Secretary, read the petition into public record.

The applicant was represented by Greg Roy (Dillis & Roy). Mr. Roy stated the structure is to be adjacent to the garage and attached to the house. It will share the current common driveway. He explained that the property is in the outlaying district, which requires a twenty-five-foot (25') side yard setback. They are proposing a twelve-foot (12') setback. The ADU has a 24'x30' proposed footprint and will be a single-story structure, on a slab. The applicants feel this is the best spot as there is something on all sides of the home. Mr. Roy explained that the septic tank is immediately in front of the property. They are working with the Board of Health to permit the upgrade of the septic tank to a multi compartment tank and increase the leeching field compacity. Chairman Gravelle confirmed the structure is Seven Hundred Twenty Square Feet and that the Board is only looking at the side yard. Mr. Roy stated that is correct. Mr. Gravelle stated that is well below the state limit of Nine Hundred Square Feet. Mr. Gravelle opened to the board.

Patrick Callahan stated he was going to ask about placement, but that was answered, and there is something on all sides of the property.

Chairman Gravelle asked why attached vs. detached. Mr. Roy stated the applicants went back and forth, and he believes they settled on attached for ease of construction and they may be giving access to a bay in

the garage. This unit is being built for parents/in-laws.

Having no further questions from the Board, Chairman Gravelle asked for public comment. Mr. Kevin O'Brien, 460 Howard St., Lunenburg, MA 01462 stated he wanted to see where it will be located. He said he believes he is the closest abutter and thinks this is a good idea, that ADU's are for more superior than in-law apartments. He mentioned it does not affect what he plans to do with his property. Again, he stated he has no problem and wishes them good luck. Having no further public comment, Chairman Gravelle looked for a motion.

MOTION
Patrick Callahan motioned to approve the Thirteen Foot (13') relief.
Karin Menard, Second the Motion.

FINDINGS
In granting a Special Permit, the Board of Appeals found that the proposed use:

a) *Will not be injurious or dangerous to public health or unduly hazardous because of traffic congestion, danger of fire or explosion or other reasons.*

b) *Will not have a material adverse effect on the value of land and buildings in the neighborhood or on the amenities of the neighborhood.*

c) *Will be operated with reasonable regard for order and sightlines if an open use.*

d) *Will not produce noise, vibration, smoke, dust, odor, heat or glare observable at the lot lines in amounts clearly detrimental to the normal use of adjacent property.*

The Special Authorization is granted with the contingency that Thomas and Kelley Pendergast, comply with all licenses, regulations, statues and ordinances of any and all applicable state, local and federal board or agencies with jurisdiction over the premises.
The Special Permit is subject to a periodic review by the permit granting authority (Zoning Board) or the Enforcement Officer, to ensure compliance with the enumerated conditions. Non-compliance to these conditions may result in revocation of this permit.

After closing the discussion, the Board acting in its capacity as the Special Permit Granting Authority, granted the Special Permit with the above members present and voting as follows with respect to the issuance of the Special Permit.

VOTE
Alfred Gravelle voted in favor of granting the Special Permit.
Patrick Callahan voted in favor of granting the Special Permit.
Karin Menard voted in favor of granting the Special Permit.
Anthony Nicastro voted in favor of granting the Special Permit.
Donald Gurney voted in favor of granting the Special Permit.

In making this determination, the Board specifically found that the granting of this Special Permit would not contravene the purpose of the Protective Bylaws or the provisions of Chapter 40A of the Massachusetts General Laws.

DISCUSSION – Meeting Minute Approval
Chairman Gravelle stated the board needs to vote on how meeting minutes get approved. There are two options; the Chairman approves and signs them or the whole board approves and signs. Karin Menard corrected with the second option is that Leigh sends the minutes to each board member for review and then at the next meeting they would vote to approve or not. Donald Gurney stated he is happy with the existing procedures. Anthony Nicastro agreed. Ms. Menard stated this is being discussed because she went looking for past minutes and discovered there have not been minutes for ZBA meetings for a very

long time. Ms. Menard stated they need to formalize a vote, to be clear on who will approve the minutes. She stated the minutes need to be recorded with the Town Clerk, who will post to the town website. Mr. Gurney stated he believes the secretary and chair are doing a wonderful job.

MOTION
Patrick Callahan asked if it should be whoever is chair of that meeting as, if the Vice Chair ran the meeting, he would approve and sign. The board members agreed that is correct. Chairmain Gravelle stated they will vote on the Chairman to approve and sign.

VOTE
Alfred Gravelle Chairmain, voted to have chairman approve and sign the meeting minutes
Patrick Callahan Vice Chairman, voted to have chairman approve and sign the meeting minutes
Karin Menard, voted to have chairman approve and sign the meeting minutes
Anthony Nicastro, voted to have chairman approve and sign the meeting minutes
Donald Gurney, voted to have chairman approve and sign the meeting minutes

Donald Gurney moved to adjourn. Karin Menard Second.

VOTE
Alfred Gravelle Chairmain, voted to adjourn
Patrick Callahan Vice Chairman, voted to adjourn
Karin Menard voted to adjourn
Anthony Nicastro voted to adjourn
Donald Gurney voted to adjourn

Adjourned at 7:20pm

Respectfully Submitted,
Leigh A Bain, Secretary

Lunenburg Zoning Board of Appeals

Alfred Gravelle 11/10/24
Approved by Chairman of the Board of Appeals
Alfred Gravelle, Chairman Date

Documents referenced:
Certified Abutters List
Site Plans
Building Plans
Ledger Receipt
Copy of Zoning Determination