

WALPOLE ZONING BOARD OF APPEALS MINUTES OF MARCH 9, 2016

A regular meeting of the Walpole Zoning Board of Appeals was held on Wednesday, March 9, 2016 at 7:00 p.m. in the Main Meeting Room of Town Hall. The following members were present: Matthew Zuker, Chairman; James DeCelle, Vice Chairman; Craig Hiltz, Clerk; and Mary Jane Coffey.

Mr. Zuker opened the meeting at 7:08 p.m.

7:09 p.m. John Corcoran and Company, 95 West Street, Case No. 17-15: Mr. Zuker read a letter from the applicant's attorney, William O'Connell, Main Street, Walpole requesting they be allowed to withdraw this application without prejudice and also that the filing fee be waived when he refiles this application.

Mr. Zuker moved to accept Atty. O'Connell's request to withdraw without prejudice and also to waive the filing fee when he refiles the next application. Motion seconded by Mr. DeCelle and voted 4-0-0.

7:13 p.m. Walpole Park South Minor Modification, Case No. 04-02: Mr. Zuker read the public hearing notice. The applicant was represented by Atty. Philip Macchi, II, 1256 Washington Street, Norwood, MA. He stated they are asking the board to vote a modification to Case No. 04-02, which is a special permit that allows anything on the approved schedule to be submitted to the Board of Health, Fire Department and Building Inspector for their review, a system that has worked well for the past fourteen years. The new tenant would like argon gas, argon liquid and diesel fuel for testing some of their generators to be added to list of chemicals that are acceptable. These chemicals can pose an asphyxiation problem but have nothing to do with the water shed. Atty. Macchi stated they have already met with the Building Inspector, Board of Health and Fire Department and they completely support this request, but recognize it is a Zoning Board of Appeal special permit.

Mr. Zuker stated these three chemicals were not on the original list and Atty. Macchi agreed. He stated that basically you are giving Donnell Murphy permission to seek approval from the Board of Health, Fire Department and Building Inspector to add these three chemicals to their already approved list.

Mr. Zuker read comment letters from the Fire Department, Building Inspector and Board of Health. He stated that he believes the decision from 2002 gives us the mechanism to allow for a minor modification. Atty. Macchi stated this hearing was advertised properly and abutters noticed. Further, if the board modifies just the exhibit, the underlying special permit will remain. Ms. Coffey stated that we are not giving our blessing to this, but merely agreeing to let the other departments that are far more familiar with this to take responsibility. Atty. Macchi agreed with Ms. Coffey. Mr. Zuker asked if there is a public hearing involved and Atty. Macchi stated there is a requirement that there be a sign off from the Sewer and Water Commission, Board of Health, Fire Department and Building Inspector.

There were no comments from the public.

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Mr. Hiltz moved to grant a modification to the Special Permit for Case No. 04-02 by amending Exhibit A with the conditions that 1) the conditions of the original special permit remain in force and 2) no other relief is being granted other than these three requested chemicals being added to the existing list of chemicals. Motion seconded by Mr. DeCelle and voted 4-0-0.

Minutes: Mr. Hiltz moved to accept the minutes of December 9, 2015. Motion seconded by Mr. DeCelle and voted 4-0-0.

Mr. Hiltz moved to accept the minutes of January 13, 2016. Motion seconded by Mr. DeCelle and voted 4-0-0.

Mr. Hiltz moved to accept the minutes of January 27, 2016. Motion seconded by Mr. DeCelle and voted 4-0-0.

Mr. Zuker moved to adjourn. Motion seconded by Mr. DeCelle and voted 4-0-0-. The meeting adjourned at 7:30 p.m.

Respectfully submitted,

Craig Hiltz, Clerk

Accepted on 4/13/16