

## WALPOLE ZONING BOARD OF APPEALS MINUTES OF MARCH 20, 2019

A meeting of the Walpole Zoning Board of Appeals was held on Wednesday, March 20, 2019 at 7:00 PM in the Richard Stillman Community Room at Walpole Police Department. The following members were present: John Lee, Chairman; Susanne Murphy, Vice Chairman; Bob Fitzgerald, Clerk; Mary Jane Coffey, Member; Drew Delaney, Associate Member.

Absent: Rick Merrikin; Member

7:00 PM Lee opened the meeting

### **Case No. 01-19, Patricia Pizzano, 98 Summit Ave., Special Permit Request:**

Lee opened the hearing, Dan Merrikin of Legacy Engineering was present on behalf of the Applicant. Due to the Board wanting a legal opinion by Town Counsel that is not yet prepared, Merrikin requested a continuance to a later time until the opinion is submitted to the Board. Murphy made a motion to grant a continuance to April 3, 2019 at 7PM in the Richard Stillman Community Room at the Walpole Police Dept., seconded by Coffey, the motion carried 5-0-0 (Lee, Murphy, Fitzgerald, Coffey, Delaney)

### **Case No. 03-19, Timothy Shields, 27 John Turco Drive, Special Permit Request:**

Lee opened the hearing and read board comments/ public submissions. Applicant Tim Shields was present and submitted materials to Board members. Shields explained to the Board his intention to relocate his in laws into their house due to medical reasons. Shields plans to utilize existing parking areas that are already sufficient to meet needs of the addition of his in laws. It was explained that an existing fence will be taken down during construction and placed up again afterwards, setbacks are within required margins, and that the intention for main access is to be in the main house, with no doorways between the two units (there are walkways but no doors), with a door is to be placed in the back to exit the outside. Lee stated that a continuance is needed to allow the applicant to come back with revised/ updated plan to depict changes discussed, and modify plot plan to show that mudroom will now be a mudroom connection and in order for the applicant to touch base with the Fire dept. regarding the change in door location. Lee stated that the applicant should address percentages on plan, as well as show dimensions on the driveway. Lee opened the hearing up to the public for comment which included the following;

Mary Hagen of John Turco Dr.: in favor of proposed in law.

John and Susan Marcus (former neighbors): present on behalf of current neighbors: in favor of proposed in law.

Kevin O'Regan (immediate abutter): in favor of proposed in law.

Coffey made a motion to continue the hearing to April 3, 2019 in the Richard Stillman Community Room at 7PM, seconded by Murphy, the motion carried 5-0-0 (Lee, Fitzgerald, Murphy, Coffey, Delaney).

### **Case No. 04-19, Union Street CME, LLC., 255 Union Street, Special Permit Request:**

Lee opened the hearing, Dan Merrikin of Legacy Engineering was present, along with Applicant Dan Connors. Merrikin explained to the Board the Applicant is seeking Special Permits to allow the barn

structure to be used as a two-family dwelling and to allow the reconstruction of the existing cottage into a two-story, two-family dwelling at 255 Union Street, along with allowing three principal structures (two existing and one reconstructed) to be used for residential dwelling units. It was noted that the Applicant was before the ZBA in 2017 (case no. 26-17) regarding the same property and this current case is to modify the prior approval by re-allocating the number of units per building, with the total quantity of eight (8) dwelling units remaining unchanged. It was also noted by Merrikin that the barn will remain in its existing character. Lee opened the hearing up to the public for input which where was none. Discussion regarding the addition of a sidewalk occurred, in which the Applicant stated that this was an issue for the town and not his responsibility. Murphy made a motion to close the hearing, seconded by Coffey, the motion carried 5-0-0 (Lee, Murphy, Fitzgerald, Coffey, Delaney). Murphy made a motion to grant the Special Permit under Section 5-B, Table 5-B.1.3.b of the Zoning By-Laws to allow the barn structure to be used as a two-family dwelling and to allow the reconstruction of the existing cottage into a two-story, two-family dwelling at 255 Union Street, seconded by Coffey, the motion carried 5-0-0 (Lee, Murphy, Fitzgerald, Coffey, Delaney). A motion was made by Suzanne Murphy, seconded by Mary Jane Coffey to grant a Special Permit under Section 6-C.4.A of the Zoning By-Laws to allow three principal structures (two existing and one reconstructed) to be used for residential dwelling units at 255 Union Street, seconded by Coffey, the motion carried 5-0-0 (Lee, Murphy, Fitzgerald, Coffey, Delaney).

**Minutes:**

3/6/19: Fitzgerald made a motion to accept the minutes as amended, seconded by Murphy, the motion carried 5-0-0 (Lee, Murphy, Fitzgerald, Coffey, Delaney)

Murphy made a motion to adjourn, seconded by Coffey, the motion carried 5-0-0 (Lee, Murphy, Coffey, Fitzgerald, Delaney)

**The meeting adjourned at 8:30 PM**