

WALPOLE ZONING BOARD OF APPEALS MINUTES OF JULY 15, 2020

A meeting of the ZONING BOARD OF APPEALS was held remotely (via Zoom) on WEDNESDAY, JULY 15, 2020 AT 7PM. The following members were present on the Zoom conference:

John Lee (Chair), Susanne Murphy (Vice-chair), Bob Fitzgerald (Clerk), Drew Delaney (Member), Ashley Clark (Community Development Director), Amy Messier

Lee opened the meeting at 7:13PM

Case No. 02-20, Sayed Halabi, 1363-1391 Main St., Special Permit Request under Section 5.B(3)g to allow second and third floor residential units:

Lee opened the hearing, The Applicant was present, along with the Applicant's engineer and architect. Murphy and Lee expressed concern over the allowance of dogs within the proposed building, and the proximity of the project being close to the road. Halabi suggested the possibility of potentially having a weight limit of potential dogs that may reside on the property, with the exception of dogs required as a result of a tenant disability or as otherwise required by law. The Board and the Applicant unanimously agreed that a thirty (30) pound weight limit on dogs would be sufficient. Murphy expressed that the decision should include a condition that all deliveries are to be made entirely on the premises, which the Board and the Applicant unanimously agreed should be encompassed within the decision. Lee expressed his concern regarding pedestrian traffic, and would like to include a condition in the decision that the Applicant will work with MassDOT to determine where a crosswalk would be the most appropriate and provide the crosswalk based on that determination. Clark refuted that due to the speed limit being forty (40) mph on Main Street, and the lack of an existing sidewalk, that a crosswalk from the Applicants property going across the Street to Bristol Square would be unrealistic, and would ultimately be part of a larger plan that the MassDOT would takeover. Clark recommended that the Board not include this condition, and instead, include a condition that the Applicant shall work with the MassDOT to determine what mitigation is the most appropriate, and provide said mitigation. Delaney voiced concern regarding children potentially crossing the street due to a pediatricians office being located across the street. Halabi voiced that its highly unlikely that his property can serve and provide a crosswalk, and expressed concern that a condition regarding a sidewalk could hinder the project if the condition could not be met, however, is willing to agree to a condition that he will work with MassDOT for future recommendations of a crosswalk being included. Fitzgerald stated that the jurisdiction regarding traffic and pedestrian safety/access is ultimately up to MassDOT and not the Applicant. Lee recommended that a condition be included in the decision that the garage door to the proposed building should remain open in the event there is traffic queuing or a safety issue in which it is required/ suggested by the police, or emergency services. At the request of the applicant, Murphy motioned to close the hearing, seconded by Delaney, Roll Call Vote: Lee-aye, Fitzgerald-aye, Murphy-aye, Delaney-aye. The motion carried 4-0-0. A motion was made by Murphy and seconded by Delaney to grant a Special Permit under Section 5-B(3)g of the Zoning Bylaw to allow second and third floor residential units, located at 1363-1391 Main Street, Walpole MA, 02081, with conditions, Roll Call Vote: Lee-aye, Fitzgerald-aye, Murphy-aye, Delaney-aye. The motion carried 4-0-0.

Minutes: none accepted at this time.

Murphy motioned to adjourn, seconded by Delaney, Roll Call Vote: Lee-aye, Fitzgerald-aye, Murphy-aye, Delaney-aye. The motion carried 4-0-0.

The meeting adjourned at 8:00 PM

Accepted 8/17/20