

The January 26, 2011 meeting of the Walpole Zoning Board of Appeals was held in the Main Meeting Room of Town Hall.

Chairman Susanne Murphy called the meeting to order at 7:00 P.M. with the following members present:

Susanne Murphy, Chairman
James M. Stanton, Vice Chairman
Daniel J. Cunningham, Jr., Clerk
Ted C. Case, Member
James S. DeCelle, Member

Meg Kundert, Associate Member
Matthew Zuker, Associate member

DISCUSSION:

Renaissance Facilities, dba Raffael's, letter dated January 20, 2011- Case #17-08

A letter was received by Joseph Bartucca, dated January 20, 2011, asking the Board to allow them to order and install the bar equipment with the understanding that it will not be stocked with liquor or used until the Building Inspector issues a Certificate of Occupancy. The Board will take no action until the Occupancy Permit is issued.

7:00 p.m. – Ernest LaBarge – Case #22-10 (cont'd from 12-8-10)

Ms. Murphy read the public hearing notice for ERNEST LABARGE, Case #22-10, with respect to property located at 410-414 High Plain St., Walpole and shown on the Assessors Map as Lot No. 35-87-20, Highway Business District.

The application is for:

A Special Permit under Section 5.B.5.c of the Zoning Bylaws to allow a dwelling provided that such dwelling is accessory to a permitted main use such as the dwelling of a caretaker, watchman, or operator of a business or manufacturing establishment on the same premises, and subject to the condition that such dwelling conforms to the regulations of the Bylaw.

Mr. LaBarge submitted a revised plan showing the back bedroom has been changed to a dining room. The service area is now the waiting room. He said that the other businesses in the building approve of him acting as a care taker. He would install a camera so he can view the back of the building.

Ms. Murphy pointed out that the Police Department, Fire Department and Building Department are all opposed to a residence at this location.

After some discussion, Mr. LaBarge asked to withdraw the request without prejudice.

A motion was made by Ms. Murphy, seconded by Mr. Zuker, on behalf of the applicant, Ernest LaBarge, to grant a request to withdraw without prejudice Case #22-10.

The vote was **5-0-0 in favor**; therefore the application for Case #22-10 is hereby **withdrawn without prejudice**. (Murphy, Stanton, Case, DeCelle, Zuker voting)

REASONS FOR DECISION:

It is the finding of the Board that the applicant requested withdrawal without prejudice at the hearing on January 26, 2011 and the Board had no reason to deny the request.

This decision is consistent with the purpose and intent of the Zoning By-Laws.

The grant of relief under this decision is limited to the relief expressly granted hereunder; and any other relief sought is hereby denied.

There being no further business, the meeting was closed at 9:00 p.m.

Daniel J. Cunningham, Jr.
Clerk

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Minutes were approved on May 11, 2011.