

WALPOLE ZONING BOARD OF APPEALS MINUTES OF OCTOBER 25, 2017

A meeting of the Walpole Zoning Board of Appeals was held on Wednesday, October 25, 2017 at 6:30 p.m. in Room 2129 at Walpole High School. The following members were present: Matthew Zuker, Chairman; Craig Hiltz, James DeCelle, Vice Chairman; Clerk; Susanne Murphy, Mary Jane Coffey and Robert Fitzgerald, Associate Member

Zuker opened the meeting at 6:30 PM

DeCelle motioned to enter Executive Session at 6:31 PM, seconded by Murphy.

Zuker opened the meeting back to Open Session at 7:00 PM

**Open session:**

**Case No. 03-16, McSharry Brothers Inc., Land off Pleasant Street:**

Mr. Zuker explained that the Applicant appealed the April 21, 2017 final action in the litigation and the Land Court, at the Board's request, remanded the matter to the Board to render supplementary findings and a new decision. Town Council, Ilana Quirk was present from KP Law and the Board discussed further findings for the remanded decision to deny the Special Permit under Sections 5-B.1.3.b. and 6-C.4.A. of the Zoning Bylaw to allow a condominium complex consisting of six (6) two-unit buildings with associated parking, landscaping, signage and utilities. The further findings that the Board discussed were as follows: the proposed project would not be in harmony with the existing neighborhood due to: the proposed driveway only having one outlet, making it unsafe due to Pleasant Street being narrow and heavily trafficked; the driveway would subject the occupants of 7 Pleasant Street to the light, noise, vibration of the 12 unit project; the proposed placement of the buildings lack sufficient setbacks from the abutters property, and would create noise, light and lack of privacy; the proposed volume of six principle dwellings and 12 units would be too dense for the general character of the existing neighborhood; the proposed spacing between five of the six principal buildings of only 17 to 20 feet would result in a type of spacing that would not be in harmony with the building spacing that exists now in the neighborhood. The proposed project's failure to be in harmony with the general character of the neighborhood, for the reasons enumerated above, means that the special permit criteria set forth under ZBL §2.2.B(1)(a)-(c) and (f)-(h) have not been satisfied.

**Hiltz made a motion to adjourn the meeting, seconded by Murphy . The vote carried 5-0-0 (Zuker, Hiltz, DeCelle, Coffey, Murphy)**

**The meeting adjourned at 7:30 p.m.**