

WALPOLE ZONING BOARD OF APPEALS MINUTES OF February 15, 2017

A regular meeting of the Walpole Zoning Board of Appeals was held on Wednesday, February 15, 2017 at 7:00 p.m. in the Main Meeting Room at Town Hall. The following members were present: Matthew Zuker, Chairman; James DeCelle, Vice Chairman; Craig Hiltz, Clerk; Susanne Murphy; and Mary-Jane Coffey.

Ms. Murphy made a motion to accept the minutes of the previous hearing of February 1, 2017, the motion was seconded by Ms. Coffey, the vote carried 5-0-0 (Zuker, Hiltz, DeCelle, Murphy, Coffey)

Mr. Zuker opened the meeting at 7:02 p.m.

Case No. 03-17 Cellco Partnership d/b/a Verizon Wireless, Industrial Road, Special Permit and Variance Requests:

Applicant requested to continue the hearing to March 1, 2017 without testimony due to being unable to attend. **Mr. Zuker made a motion to accept the applicants request and continue the hearing until March 1, 2017 at 7:00 pm, the motion was seconded by Ms. Coffey, the vote carried 4-0-0 (Zuker, DeCelle, Murphy, Coffey) – Board member Craig Hiltz excused himself from taking part in and voting on this specific case.**

Case No. 23-16, Wallstreet Development Co., 48 Burns Avenue/End of Burns Avenue, Special Permit Request:

Applicant requested to continue the hearing to April 5, 2017 without testimony due to re-configurations to site-plans. **Mr. Zuker made a motion to accept the applicants request and continue the hearing until April 5, 2017 at 7:00 pm, the motion was seconded by Mr. DeCelle, the vote carried 5-0-0 (Zuker, Hiltz, DeCelle, Murphy, Coffey)**

Case No. 20-16, John M. Corcoran & Co., LLC, 95 West Street, Special Permit and Variance Requests:

Applicant requested to continue the hearing to March 15, 2017 without testimony due to the lack of a full Board present. **Mr. Zuker made a motion to accept the applicants request and continue the hearing until February 15, 2017 at 7:00 pm, the motion was seconded by Mr. DeCelle, the vote carried 4-0-0 (Zuker, Hiltz, DeCelle, Coffey) – Board member Susanne Murphy excused herself from taking part in and voting on this specific case.** The applicant also filed a request for an extension through March 30, 2017. **Mr. Hiltz made a motion to accept the extension on behalf of the applicant, the motion was seconded by Mr. DeCelle, the vote carried 4-0-0 (Zuker, Hiltz, DeCelle, Coffey)**

Case No. 02-17, Stephen O'Neill, 315 Bullard Street, Special Permit Request:

Mr. Stephen O'Neill of 315 Bullard Street was present and explained that a Special Permit is needed for the finished construction and placement of an in-law apartment off of the house. It was stated that the in-law addition is 1066 square feet and asked the Board to make a condition that the square footage is

accepted as shown in the plans. Board comments were read from the Fire Department and the Town Engineer referencing the driveway relocation and fire/ carbon monoxide detection equipment. There was discussion regarding whether the proposed in-law addition needed it's own water and electricity meters, in which they do not. It is the finding of the Board that the Applicant was able to meet the requirements of Section 5.B.2 to allow the requested Accessory In-Law Suite in the Residence B District. The Board finds that the in-law suite is in character with and follows the intent of, the Residence A District. Accordingly, the Board has determined that the Special Permit requested is warranted with the following nine conditions in place: 1. The Accessory In-Law Suite shall not be held in separate ownership from the principal dwelling unit. 2. The Accessory In-Law Suite shall only be occupied by individuals within the third degree of kinship of the owner of the principal dwelling unit. 3. The property owner shall record this Decision with the Norfolk County Registry of Deeds and provide a copy along with proof of recording to the Board of Appeals, Town Clerk and Building Department. 4. When ownership of the property changes, the new owner shall notify the Building Commissioner so as to update the Accessory In-Law Suite List. 5. The square footage of the Accessory In-Law Suite may exceed 1000 square feet, but shall not exceed 1066 square feet as shown on the plan submitted with the Application. 6. The Applicant shall receive a Certificate of Occupancy from the Building Department before occupying the Accessory In-Law Suite. 7. There will be one water meter for the house and Accessory In-Law Suite unless the Applicant receives permission from the Board to install a second meter. 8. There shall be no lodgers in either the original dwelling unit or the Accessory In-Law Suite. 9. The parking and driveway for the house and in-law suite will be constructed as shown on the plans submitted at public hearing as amended and approved by Town Engineer so as to address the points raised in the letter provided to the Board from the Town Engineer dated January 17, 2017. **Mr. Zuker made a motion to close the hearing, the motion was seconded by Ms. Coffey, the vote carried 5-0-0 (Zuker, Hiltz, DeCelle, Muphy, Coffey)**

Mr. Hiltz made a motion to grant the Special Permit under 5-B.2. of the Zoning Bylaw to allow an accessory in-law suite not exceeding 1066 square feet in size, with the nine conditions noted in the findings in place, the motion was seconded by Ms. Murphy, the vote carried 5-0-0 (Zuker, Hiltz, DeCelle, Murphy, Coffey)

Mr. Zuker moved to adjourn. Motion seconded by Ms. Coffey and voted 5-0-0 (Zuker, DeCelle, Hiltz, Muphy, Coffey). The meeting adjourned at 7:45 p.m.

Respectfully submitted,

Craig Hiltz, Clerk