

WALPOLE ZONING BOARD OF APPEALS MINUTES OF March 7, 2018

A meeting of the Walpole Zoning Board of Appeals was held on Wednesday, March 7, 2018 at 7:00 p.m. in the main meeting room. The following members were present: Matthew Zuker, Chairman; Craig Hiltz, Vice Chairman; Susanne Murphy, Mary Jane Coffey, Robert Fitzgerald, Clerk; John Lee, Associate Member.

Zuker opened the meeting at 7:00 PM

Open session:

Case No. 01-18, Michael Hansen, 11 Boulder Trail, Special Permit Request:

Zuker opened the hearing, Applicant Michael Hansen was present, and explained to the Board that he is requesting a Special Permit under Section 5-B.3.N to allow the garaging or maintaining of four (4) automobiles in a detached one-family residential dwelling. Hansen stated that the surrounding neighborhood also has 4 car garages, and that all comments that were made by the Town Engineer have been addressed prior to the hearing. Zuker read Board comments, which included engineering and the Fire Dept. Murphy asked Hansen what the square footage of the house and garage is, Hansen explained that the footprint of the house including the garage is approx. 5,600 s.f. ZEO Dave Norton was present, and stated that a Building Permit has been issued for the construction of the house, and suggests impervious and roof run off conditions to be included in the decision if the application is granted. Zuker opened the hearing to the public for comment, in which there was none. The Board agreed that the 4 car garage would be consistent with the neighborhood since the surrounding neighborhood have them as well, it was agreed that the 7% impervious coverage should be shown on the plan, and it was clarified that the drainage is capable of recharging 1 inch of run-off.

Zuker made a motion to close the hearing, seconded by Murphy, the motion carried 5-0-0 (Zuker, Hiltz, Fitzgerald, Murphy, Coffey)

Hiltz made a motion to grant the Special Permit under Section 5-B.3.N of the Zoning bylaws to allow the garaging or maintaining of four (4) automobiles in a detached one-family residential dwelling with conditions, seconded by Murphy, the motion carried 5-0-0 (Zuker, Hiltz, Fitzgerald, Murphy, Coffey)

Case No. 02-18, Paul Cisternelli, Lot 1 Renmar Ave., Variance & Special Permit Requests:

Zuker opened the hearing, Applicant Paul Cisternelli was present, along with Paul DeSimone of Colonial Engineering. Cisternelli explained that he is seeking three variances and two special permits:

A **Variance** under Section 6-B.1. and Section 12-3.A-3.B. to allow a proposed commercial building to be constructed on an existing lot, containing 38,675 s.f. where 40,000 s.f. is required; a **Variance** under Section 6-B.1. to allow a proposed building to be constructed with a setback of 25 ft. where 50 ft. is required; a **Variance** under Section 6-B.1. note 9 to allow outside storage area for equipment to be located with a setback of 10 ft. where 50 ft. is required.

a **Special Permit** under Section 12-3.B. to allow the storage and handling of toxic or hazardous materials on premises, in quantities greater than those associated with the normal household use; a **Special Permit** under Section 12-3.A.-3-B & C for a non-residential use to allow 44% of the lot area to be rendered impervious, where 15% is allowed

ZEO Dave Norton was present, and explained to the Board that there were previous applications in 2008 that were granted before the ZBA for the exact items that are being requested today. DeSimone stated that the lots were created in the early 70's and are pre-existing nonconforming. DeSimone went over the lot coverage, which is addressed in the drainage calcs., hazardous materials (gasoline, motor oil, gasoline, ether) which are in small amounts for personal use of the equipment that will be in the proposed building (garage for equipment and storage), and that all mechanical work will be done off-site. Zuker read Board comments, which included the following; Board of Health, engineering, Water & Sewer and Conservation. The Board agreed that they need additional information from engineering, and the Applicant, along with the previous decision of 2008 with the minutes as well. Zuker opened the hearing for the public to comment, in which there wasn't any. Zuker made a motion to continue the hearing to April 4, 2018 at 7:00 PM, seconded by Coffey, the motion carried 5-0-0 (Zuker, Hiltz, Fitzgerald, Murphy, Coffey)

Case No. 03-18, Norman Eibye, 62 Highland Ave., Variance Request:

Zuker opened the hearing, Applicant Norman Eibye was present, and explained to the Board that he is requesting a Variance under Section 6-B.1 to allow a roof overhang with posts 29.5 ft. from the front setback where 30 ft. is needed. Eibye stated that the roof will match the roof above (design & pitch), the frontage of the neighboring properties appear to be further back compared to his, the original house was built in 1956. Hiltz stated that this is not a relatively recent built structure, along with a unique placement on the parcel relative to the neighborhood (angle/ close proximity to the front setback). Zuker opened the hearing up for public comment, in which there weren't any. Due to the information and observations above, along with the minimal relief requested to accomplish the project, Zuker made a motion to close the hearing, seconded by Murphy, the motion carried 5-0-0 (Zuker, Hiltz, Fitzgerald, Murphy, Coffey). Hiltz made a motion on behalf of the Applicant to grant the Variance under Section 6-B.1 of the Zoning bylaw to allow a roof overhang with posts 29.5 ft. from the front setback with conditions, where 30 is needed, seconded by Fitzgerald, the motion carried 5-0-0 (Zuker, Hiltz, Fitzpatrick, Murphy, Coffey).

Case No. 04-18, Deborah and Leon Laframboise, 61 High Street, Special Permit Request:

Zuker opened the hearing, Applicant Deborah Laframboise was present, and explained to the Board that she is seeking a Special Permit under Section 5-B.2 under the Zoning bylaw to allow an Accessory In-Law Suite in space previously approved as a Childcare Center, with no alterations needed. Laframboise explained to the Board that she purchased the home in August, and that the home was originally built in 1967. The purpose of the Special Permit is for financial reasons (In-Law suite must be approved for value

of home and re-sale), and that the step-children may stay there. The total square footage of the space is 916 s.f. with two exterior landings, and the only alterations to be made will be painting and flooring. Zuker read Board comments, which included comments from the Town Engineer, which were resolved prior to the hearing. ZEO Dave Norton was present and expressed that he wants to go in and inspect to make sure everything is up to code. It was also stated that there is 1 electric meter, with access to the In-Law suite being separate from the rest of the house. Zuker opened up the hearing for public comment, which there weren't any.

Lee made a motion to close the hearing, seconded by Coffey, the motion carried 5-0-0 (Zuker, Hiltz, Fitzgerald, Coffey, Lee).

Lee Made a motion on behalf of the Applicant to grant the Special Permit under Section 5-B.2 of the Zoning bylaw to allow an Accessory In-Law Suite in space previously approved as a Childcare Center, with no alterations needed, and conditions in place, seconded by Hiltz, the motion carried 5-0-0 (Zuker, Hiltz, Fitzgerald, Coffey, Lee)

*At 8:25 PM Murphy removed herself from the meeting and therefore did not participate in the vote of Case No. 04-18.

Minutes:

No minutes were reviewed or accepted at this time.

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

The meeting adjourned at 9:00 PM

Accepted 4/18/18