

WALPOLE ZONING BOARD OF APPEALS MINUTES OF April 4, 2018

A meeting of the Walpole Zoning Board of Appeals was held on Wednesday, April 4, 2018 at 6:30 p.m. in the main meeting room. The following members were present: Matthew Zuker, Chairman; Craig Hiltz, Vice Chairman; Susanne Murphy, Robert Fitzgerald, Clerk; John Lee, Associate Member.

Absent: Mary Jane Coffey

Zuker opened the meeting at 6:30 PM

Open session:

Zuker read the Chairmans' Declaration to enter into Executive Session, Murphy moved to go into Executive Session, roll call: Zuker, Murphy, Fitzgerald.

Zuker opened the meeting back to Open Session at 7:06 PM

Open Session:

Case No. 25-17, DV Realty Partners, LLC., 2375 Boston Providence Highway, Variance Request:

Zuker read a letter addressed to the Board from Attorney William O'Connell requesting to withdraw the application without prejudice. Zuker made a motion to accept the request to withdraw without prejudice, seconded by Murphy, the motion carried 5-0-0 (Zuker, Hiltz, Fitzgerald, Murphy, Lee)

Case No. 05-18, Supa Cars, LLC., 1900 Main Street, Special Permit & Amendment to a Special Permit Requests:

Zuker opened the hearing, Applicant Melissa Young was present and explained to the Board that she and her partner Jay Santos (owners of "Supa Sales") are seeking to amend a Special Permit under Section 5-B-4.E. of the Zoning bylaws to increase the number of cars parked on the site and the rental of U-Haul vehicles, and seeking a separate Special Permit under Section 5-B.4D.D. to allow the repair of outside cars, metal crafting and body repairs with no sanding or painting. Young stated that 4 yrs. ago she and Santos were granted a Class 2 License and in 2016 they purchased property from the previous owner. Their current business includes purchasing vehicles that are in need of repair, repairing them and then selling them. It was stated that they are currently doing very limited outside repair on vehicles that they do not own, and would like to have the permission to service cars for continued routine repairs on vehicles. The Applicant has been renting U-Hauls for a short period of time (average of 8-10 wk.), and has since stopped due to the knowledge of needing permission by the ZBA. Young explained that the site plan that was approved several years ago and on record only shows a partial portion of the property, and is currently asking to utilize the entire property. Furthermore, Young explained that the metal fabrication and welding relief they are seeking is due to the fixing of some of the vehicles that have been in minor accidents or older cars that have rust- in which welding and metal fab is needed to repair them. It was stated that sanding and spray painting is excluded, with the only painting they would be doing in minor touch-ups. Zuker read Board comments, which included comments from the following; Board of Health, Conservation, Building and Engineering. The Board requested that the following be submitted to the ZBA: a letter from Conservation regarding their current status of

compliance, a letter from the Board of Health regarding an update on the septic on the property, further information addressing the requirement for parking on pavement with regards to their restriction of impervious pavement that is allowed and an operational plan that explains and gives information about repair of vehicles/ rental operating procedures/oversight for future circumstances/and prioritization of the uses and volumes of the relief being sought. Zuker opened the hearing up for public comment, which there wasn't any. Murphy made a motion to continue the hearing on June 6, 2018 at 7:00 PM, seconded by Hiltz, the motion carried 5-0-0 (Zuker, Hiltz, Murphy, Fitzgerald, Lee)

Case No. 06-18, 1327 Main Street Realty, 1327 Main Street, Special Permit Request:

Zuker opened the hearing, Dan Merrikin from Merrikin Engineering was present on behalf of the Applicant, along with architect, Dennis Caldwell. Merrikin explained to the Board that the Applicant is requesting a Special Permit for a drive-up/ pick-up window for a dry cleaning business, the building that is currently on the site will be demolished, and there will be construction of a cape-style one story building. The lot is 16,000 s.f, and the proposal is for a one way entrance on Norfolk St., with an exit on Main St., the Applicant is proposing 13 parking spaces. The Applicant is before the Planning Bd. for their site plan on April 19, 2018. Merrikin stated that the dry-cleaning business's hours of operation are currently 7a-7p Mon-Fri., and 7a-5p on Saturdays. Due to the possibility of changes made to the plan when going before the Planning Bd., Zuker made a motion to continue the hearing to May 2, 2018 at 7:00 PM, seconded by Lee, the motion carried 5-0-0 (Zuker, Hiltz, Fitzgerald, Murphy, Lee)

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

Was present on behalf of the Applicant and addressed the new packet of information that was submitted to the office on 3/28/18 which included the following; storage and control of hazardous/toxic materials and drainage calcs. A letter was submitted from Chief Bailey stating that he has reviewed the materials and contaminants and is satisfied with the information provided by the Applicant. Zuker read the newest comments from the Town Engineer, dated 4/3/18. Zuker stated that he would like a letter from Maggie stating that the 2008 stormwater mgmt. plan that was submitted on 3/28/18 is consistent with today's standards. In order for the Town Engineer the drainage calcs. And stormwater mgmt., Zuker made a motion to continue the hearing to April 18, 2018 at 7:00 PM, seconded by Murphy, the motion carried 5-0-0 (Zuker, Hiltz, Fitzgerald, Murphy, Lee)

Case No. 07-18, Dedham Auto Mall, 623 Boston Providence Highway, Amendment to Special Permit Request:

Zuker opened the hearing, Dina Browne from Bletzer & Bletzer was present on behalf of the Applicant. Browne explained to the Board that the Applicant is seeking to modify the Special Permit from 1983 to acquire 100 spaces (94 spaces for storage, 5 spaces for parking and 1 space for a handicap van), the license that they currently have is for 60 spaces. Browne also stated that there is currently 100 spaces on the property, and that they are trying to bring the property into compliance. Zuker read Board comments which included minor comments from the Fire Dept. Lee stated that since the Zoning has changed, they can have 100 spaces as of right, and doesn't think that there is anything needed from the Board. Higgins recommended that the ZBA write a letter to the Building Commissioner stating that the use is allowed with the 100 spaces and that there is no further action by the Board needed. Browne

indicated that a Special Permit is needed in order to maintain the sales of the cars since the business is located in the HBD (Highway Business District). Zuker opened the hearing up for public comment which included the following:

David Allison of 11 Wompatuck Rd.: stated has no issues with the proposal and was attending hearing for further clarification and information.

After further discussion by the Board, Hiltz made a motion to amend the application for an amendment to the Special Permit and site plan approval issued in 1983 to permit the maximum cars for storage to 94, seconded by Zuker, the motion carried 5-0-0 (Zuker, Hiltz, Fitzgerald, Murphy, Lee) . Zuker made a motion to close the public hearing, seconded by Hiltz, the motion carried 5-0-0 (Zuker, Hiltz, Fitzgerald, Murphy, Lee). Hiltz made a motion to grant the application as amended, seconded by Zuker, the motion carried 5-0-0 (Zuker, Hiltz, Fitzgerald, Murphy, Lee)

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 10:00 PM