

WALPOLE ZONING BOARD OF APPEALS MINUTES OF May 17, 2017

A regular meeting of the Walpole Zoning Board of Appeals was held on Wednesday, May 17, 2017 at 7:00 p.m. in the Main Meeting Room at Town Hall. The following members were present: Matthew Zuker, Chairman; Craig Hiltz, Clerk; Mary-Jane Coffey, and Robert Fitzgerald

Mr. Zuker opened the meeting at 7:00 PM

Case No. 23-16, Wallstreet Development Corp., 48 Burns Avenue/End of Burns Avenue (Union Sq. Village), Special Permit Request:

A letter requesting the continuance of this case without testimony to June 7, 2017 from Lou Petrozzi of Wallstreet Development was submitted. A motion was made by Mr. Zuker to accept the applicants request and continue the hearing to June 7, 2017, seconded by Mr. Hiltz. The vote carried 4-0-0 (Zuker, Hiltz, Coffey, Fitzgerald).

Case No. 11-17, Peter & Lee Ann Falato, 4 Hummingbird Ln., Variance Request (Vote Required):

A letter requesting the continuance of this case without testimony to June 7, 2017 from Merrikin Engineering on behalf of the applicant was submitted. A motion was made by Mr. Zuker to accept the applicants request and continue the hearing to June 7, 2017, seconded by Mr. Hiltz. The vote carried 4-0-0 (Zuker, Hiltz, Coffey, Fitzgerald).

Case No. 10-17, Timothy Speer/ Teresa Vanderboom, 12 Mohawk Rd., Variance Request (Vote Required):

Timothy Speer- the applicant was present and explained to the Board the proposed project to construct a front porch and a setback of 27 ft. instead of the required 30 ft. The applicant explained that the variance he is requesting is needed due to the following hardships; the property has curved frontage due to the location at the end of a cul-de-sac, the property is "pie shaped" and narrow, the backyard has a downward slope, and due to these reasons, any other means of expansion would be extremely costly and involve a large amount of construction. Mr. Zuker read comments from the other Boards, which consisted of comments from the Town Engineer, referencing that the plans need to be stamped by the engineer with the utilities shown for exact measurements. The Board and the public had no further questions or comments. The Board agreed that the hardships referenced do meet the hardships required for a variance. Mr. Hiltz made a motion to close the hearing, seconded by Ms. Coffey. The vote carried 4-0-0 (Zuker, Hiltz, Coffey, Fitzgerald). Mr. Hiltz made a motion to grant the variance with several conditions in place, seconded by Mr. Fitzgerald. The vote carried 4-0-0 (Zuker, Hiltz, Coffey, Fitzgerald).

Case No. 07-17, Edgewood Development Co. (Liberty Village), 1034 East Street, Special Permit & Variance Requests (2):

Present was Phil Macchi, representing on behalf of the applicant. Mr. Macchi explained to the Board the number of improvements to the proposed project, which include the following; Amending the application top 211 parking spaces instead of 216 (5 spots), gifting the 5 spot parking space parcel of property on East Street to the Town, addition of a right turn only lane on East Street, revegetate land to improve riverfront area and add solar powered lights with the updated crosswalks. Letters from nearby

businesses what are in favor of the proposed project were submitted. Mr. Zuker inquired about the parking spaces, Mr. Macchi explained that the parking spaces will be assigned, the spaces underneath will be gated, and that there will be dedicated handicap/ visitor spaces. Tom Brady of Misty Ln. voiced his support of the project. The Board and the public had no further questions or comments at this time. Mr. Zuker made a motion to close the hearing, seconded by Ms. Coffey, the vote carried 4-0-0 (Zuker, Hiltz, Coffey, Fitzgerald). A motion was made by Mr. Hiltz, seconded by Ms. Coffey to grant a Special Permit under Section 8 (Parking Regulations): 4 (Baseline Parking Calculation): C. of the Zoning Bylaw to allow less than the minimum parking required (211 spaces where 304 are required) as shown on the plans entitled: "Development Plans for 1034 East Street, Walpole, MA" dated May 2, 2017 with conditions discussed. The vote carried 4-0-0 (Zuker, Hiltz, Coffey, Fitzgerald). A motion was made by Mr. Hiltz, seconded by Ms. Coffey to grant a variance from Section 6 (Dimensional Regulations): Table 6-B-1 (Table of Dimensional Regulations) of the zoning Bylaw to allow a maximum building height of fifty nine feet (59') where fifty two feet (52') is allowed all as shown on plans entitled "Development Plans for 1034 East Street, Walpole, MA dated May 2, 2017 with conditions discussed. The vote carried 4-0-0 (Zuker, Hiltz, Coffey, Fitzgerald). Mr. Hiltz made a motion, seconded by Mr. Fitzgerald to grant a variance from Section 5 (Use regulations), Table 5-B.1 (Use Table) Section 3 (Residential) g. (Use of a floor other than the ground floor or basement for dwelling units) i. (within the CBD) to allow commercial to residential floor area ration greater than 3.5 and allow 202,360 s.f. of residential area on four (4) floors all as shown on plans entitled "Development Plans for 1034 East Street, Walpole, MA dated May 2, 2017 with conditions discussed. The vote carried 4-0-0 (Zuker, Hiltz, Coffey, Fitzgerald).

Mr. Zuker made a motion to adjourn the meeting, seconded by Ms. Coffey. The vote carried 4-0-0 (Zuker, Hiltz, Coffey, Fitzgerald)

The meeting adjourned at 10:00 p.m.