

WALPOLE ZONING BOARD OF APPEALS MINUTES OF SEPTEMBER 14, 2016

A regular meeting of the Walpole Zoning Board of Appeals was held on Wednesday, September 14, 2016 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, Susanne Murphy, and Timothy Foley.

Chairman Zuker opened the meeting at 7:00 p.m.

McSharry Bros., off Pleasant Street, Case No. 03-16 Special Permit Continued Hearing:

No testimony taken. The public hearing was continued to October 12, 2016 as per the applicant's attorney, Philip Macchi, 1256 Washington Street, Norwood, MA. Mr. Zuker moved to accept an extension of time up to and including October 31, 2016 as per the applicant's attorney, Philip Macchi. Motion seconded by Ms. Murphy and voted 5-0-0.

Clyde's Grill & Bar, 642 Providence Highway, Case No. 14-16 Special Permit:

Chairman Zuker read the public hearing notice and correspondence from town boards and committees. A presentation was made on behalf of the applicant.

A motion was made by Craig Hiltz, seconded by Susanne Murphy to close the public hearing and voted 5-0-0. A motion was made by Craig Hiltz, seconded by Susanne Murphy to grant a Special Permit to allow the applicant to alter two pre-existing non-conforming signs and replace them with signs of a larger dimension as per Sections 7.5.C.(4) and 7.6.A.(4) of the Zoning Bylaw. The vote was 5-0-0 in favor (Zuker, Hiltz, Coffey, Murphy and Foley voting).

A motion was made by Craig Hiltz and seconded by Susanne Murphy to allow the applicant to convert one of the two signs into an electronic message center as per Section 7.6.A.(4) of the Zoning Bylaw. The vote was 5-0-0 in favor (Zuker, Hiltz, Coffey, Murphy and Foley voting). Therefore, the application for a Special Permit is hereby granted, subject to the following conditions:

1. The increase in the size of the signs shall not be more than 50%.
2. The applicant shall conform to all the requirements set forth in the Zoning Bylaw.
3. The applicant shall conform to all the information presented at the public hearing.
4. Only one of the two signs shall be an electronic message center.

Anna Lamperti, 54 Diamond Street, Case No. 16-16 Variance:

Chairman Zuker read the public hearing notice and correspondence from town boards and committees. A presentation was made by the applicant.

A motion was made by Susanne Murphy to grant the Variance under Section 6.B.1 of the Zoning Bylaws to allow a sun porch to be constructed within 15' of the rear lot line when

30' is required and as shown on the plan of record. Motion seconded by Mary Jane Coffey. The vote was 5-0-0 (Zuker, Hiltz, Murphy, Coffey, Foley voting); therefore the Variance under Section 6.B.1 of the Zoning Bylaw is granted as may be amended.

Reasons for Decision:

- 1) The shape of the lot is unique and has not changed since a deck was previously approved on October 15, 1997, Case No. 42/97.
- 2) The way the house is situated on the lot does create a hardship.
- 3) The addition of a sun room will not encroach on any neighboring property.

Conditions of Approval:

- 1) Construction will be completed in accordance with the plans submitted at the public hearing;
- 2) It was determined that the house at 54 Diamond Street is connected to Town sewer and water.

Ms. Murphy left the meeting.

Atrex Energy, Inc., 19 Walpole Park South, Suite 4, Case No. 15-16 Special Permit: Mr. Zuker

The public hearing was continued to October 12, 2016 as per the applicant's attorney, Philip Macchi, 1256 Washington Street, Norwood, MA.

It was moved, seconded and voted to adjourn. The meeting adjourned at

Respectfully submitted,

Craig Hiltz, Clerk