

WALPOLE ZONING BOARD OF APPEALS MINUTES OF SEPTEMBER 20, 2017

A regular meeting of the Walpole Zoning Board of Appeals was held on Wednesday, September 20, 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; Susanne Murphy, Mary Jane Coffey and Robert Fitzgerald, Associate Member

Zuker opened the meeting at 7:00 PM

Case No. 17-17, John Sanzi, 29 Federal St., Special Permit Request:

John Glossa was present on behalf of the Applicant. Glossa explained to the Board that John Sanzi was proposing a 1 story addition to his already nonconforming single family house in order to allow the creation of a bedroom, bathroom and screened porch to the existing house, located on the left side of the existing house, and approximately 20' ft. from the sideyard lot line. The addition requires a Special Permit due to the front yard setback not meeting the zoning requirements, with the existing house 21.27' ft. away from the lot line, and the proposed addition being 21.71' ft. from the front yard lot line. Glossa explained that due to the placement of the proposed addition, it would not be increasing the nonconformity of its nature, and sight issues would not be created in relation to the street and vehicular traffic. Zuker asked if the design of the proposed addition will maintain the character of the house and the surrounding neighborhood, in which Glossa stated that the addition would keep the character of both. Glossa mentioned that the two abutting properties of the Applicants property also have nonconforming setbacks. Zuker opened the hearing up to the public, there were no concerns from the public or Board at this time. Murphy made a motion to close the hearing, seconded by Coffey, the motion carried 5-0-0 (Zuker, Hiltz, Coffey, Fitzgerald, Murphy). The Board rendered its findings and conditions, which include the following; no increase in nonconformity; zero detriment to the neighborhood; addition will keep character of home and surrounding neighborhood; abutting properties also have non-conformities; must be constructed as shown on plans submitted at 9/20/17 hearing. Murphy made a motion to grant the Special Permit under section 9.4.A of the Zoning bylaws, seconded by Coffey, the motion carried 5-0-0 (Zuker, Hiltz, Coffey, Fitzgerald, Murphy)

Case No. 06-17, William Germaine, 86 Oak St., Variance & Special Permit Request:

Present was Attorney Michael Murphy, Arbi Rrapi of Cheney Engineering, and applicant William Germaine. Zuker referenced the email, dated 9/18/2017 from Building Commissioner Dave Norton, addressing the issue of whether the Applicant still needed to apply for a variance due to the reconfigured wall plans, dated 8/15/2017. The Building Inspector stated that according to the most recent plans, it appears that due to the reconfiguration of the wall, a variance would not be necessary, only a special permit would be needed due to the fill. Zuker proceeded to read comments from the Town Engineer, dated 8/22/17, referencing the 8/15/17 plans, in which she listed 13 items that need to be rectified and brought to the Boards attention. Hiltz asked the Applicant questions regarding Section 5D of the Zoning bylaw that relate to; amount of fill, routes of transportation, number and size of trucks, hours of operation, excavation method and material. The Applicants engineer stated that he does not have this information at this time but is willing to provide the information to the Board in the near future. Coffey stated that she was uneasy about the nature of the material of the fill since she has

observed that it contains pieces of concrete, in which Mr. Germaine stated that some of the fill on the side of the yard is left over from the addition on his home. Zuker stated that he would like to see an additional letter from the Town Engineer stating that the concerns mentioned in the current letter are resolved. Mr. Rrapi stated that the amount of water flowing from the Applicants property downward to the neighbors would be less than the current amount. Zuker also suggested letters of support from more of the abutting neighbors would be helpful, specifically the abutter who's yard is located directly in back of Mr. Germaine's property. Fitzgerald expressed that he would like more information on the origin of the proposed fill, and also what it consists of. Hiltz expressed his concerns with the possible noise/vibration/dust/character of neighborhood, all of which should be addressed. Hiltz also stated that ideally, if all of the information the Board is requesting and voicing concerns about is submitted in the near future, than the understanding would be that the Board would close the hearing regarding the Special Permit, followed by deliberation and a decision, while the Variance could either be withdrawn by the Applicant or handled separately. Zuker made a motion to accept an extension of time on behalf of the Applicant to allow the Board to render a decision until 10/31/2017 for the variance, seconded by Hiltz, the motion carried 5-0-0 (Zuker, Hiltz, Coffey, Fitzgerald, Murphy). Zuker made a motion to continue the hearing to October 4, 2017 at 7:00 PM, seconded by Hiltz, the motion carried 5-0-0 (Zuker, Hiltz, Coffey, Fitzgerald, Murphy).

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

The meeting adjourned at 7:45 p.m.