

WALPOLE ZONING BOARD OF APPEALS MINUTES OF February 1, 2017

A regular meeting of the Walpole Zoning Board of Appeals was held on Wednesday, February 1, 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; and Jane Coffey, Member.

Matt Zuker made a motion to accept the minutes of the previous hearing of January 4, 2017, the motion was seconded by Craig Hiltz, the vote carried 4-0-0 (Zuker, Hiltz, Murphy, Coffey)

7:00 pm Case No. 1-17 28 Alton Street, Robert & Barbara Murphy, Special Permit request:

Attorney Phil Macchi represented Robert and Barbara Murphy, the owners of 28 Alton Street, which were present. Macchi explained that a Special Permit is needed for the finished construction and placement of a stove of an in-law apartment off of the house. Mr. Macchi stated that the in-law addition is roughly 650 square feet and asked the Board to make a condition that the square footage is accepted as is, along with allowing the existing driveway to remain as is and not require new configuration. There was discussion regarding whether the proposed in-law addition needed its own address for Emergency 911 purposes, and whether there needed to be a separate water meter in place. It is the finding of the Board that the Applicant was able to meet the requirements of Section 5.B.2 to allow the requested Accessory In-Law Suite in the Residence B District. The Board finds that the in-law suite is in character with and follows the intent of, the Residence B District. Accordingly, the Board has determined that the Special Permit requested is warranted following the eleven conditions that were noted and must be in place. **Susanne Murphy made a motion to close the hearing, the motion was seconded by Matt Zuker, the vote carried 4-0-0 (Zuker, Hiltz, Murphy, Coffey)**

Susanne Murphy made a motion to grant the Special Permit request, the motion was seconded by Matt Zuker, the vote carried 4-0-0 (Zuker, Hiltz, Murphy, Coffey)

Case No. 24-16, Viewpoint Sign and Awning, 995 Old Post Road, Special Permit request:

Shaun Donovan from Viewpoint Sign and Awning was present, and explained to the Board that the original application for the Dunkin' Donuts sign permit was denied on August 30, 2016 due to the proposal of too many wall and directory signs. He went on to explain that in order to go forth with the signs going up at that location, new site plans that meet the Walpole Zoning Bylaw were to be created, or, a Special Permit with the Zoning Board of Appeals was necessary, Mr. Donovan then Explained that all proposed signs are necessary for the project. Comments from other Boards were read, in which there were no new comments at this time. There was discussion between the Board members and Mr. Donovan whether a wall sign set to be placed on the side of the building could be considered a graphic instead of a sign, in which Section 7.6 (G) of the Walpole Zoning Bylaw was referenced, and the question remained unclear. The applicant requested to be able to amend the application to appeal the decision of the Zoning Enforcement Officer. **Mr. Zuker made a motion to accept the applicants request to appeal**

the decision of the Zoning Enforcement Officer and to find in favor of the Applicant, overturning the Zoning Enforcement Officer's decision to send the Applicant for a Special Permit, the motion was seconded by Susanne Murphy, the vote carried 4-0-0 (Zuker, Hiltz, Murphy, Coffey). Mr. Hiltz then made a motion on behalf of the applicant to withdraw the original Special Permit application without prejudice, the motion was seconded by Susanne Murphy, the vote carried 4-0-0 (Zuker, Hiltz, Murphy, Coffey)

Case No. 23-16, Wallstreet Development Co., 48 Burns Avenue/ End of Burns Avenue, Special Permit request:

Applicant requested to continue the hearing to February 15, 2017 without testimony due to the absence of two of the Zoning Board members at the hearing for February 1, 2017. **Mr. Zuker made a motion to accept the applicants request and continue the hearing until February 15, 2017 at 7:00 pm, the motion was seconded by Mr. Hiltz, the vote carried 4-0-0 (Zuker, Hiltz, Murphy, Coffey)**

At 8:30 p.m. Susanne Murphy excused herself from the hearing and did not participate in the Board's discussion and vote for the following cases: Michael A. Manzo, Case No. 21-16; Barberrry Homes, LLC Minor Modification Request, Case No. 21-13.

Case No. 21-16, Michael A. Manzo, 100 Elm Street/ 125 West Street/ Parcels on Elm and West streets; Special Permit request:

Attorney Mark Bobrowski was present, along with Michael Manzo, the owner of the property and David Kelly, from Kelly Engineering Group Inc. Mark Bobrowski explained that they are seeking to obtain a special permit to allow 47 parking spaces for a fee, modify numbers of parking spaces from 534 to 261 and to also substitute a new plan for the 1999 plan on record, and 2000 Special Permit on record. The Board reiterated comments from the Town Engineer, which lead to a discussion concerning how the proposed parking would affect the commuters of the MBTA getting to the train, if there is ample parking for residents, employees and commuters, and the amount of traffic that would be generated. The Board suggested that they would like to look over the traffic study that was done in relation to the surrounding property owned by John Corcoran. The Board also requested that the Town Engineer review the proposed plans that were exhibited at the meeting and address any other comments she may have, along with the applicant's response to the possible new comments. Mr. Bobrowski requested the first possible meeting date that was available for continuation. Mr. Zuker said March 15, 2017. Mr. Bobrowski requested March 1, 2017. Mr. Zuker noted that there was a large agenda for March 1, 2017 and that the Board would not start hearing new presentations after 10 p.m. and that the Applicant should consider the March 15, 2017 date. Mr. Bobrowski said he still wanted to proceed with March 1, 2017 and see how it goes.

Mr. Zuker made a motion to continue the hearing to March 1, 2017, the motion was seconded by Mr. Hiltz, the vote carried 3-0-0 (Zuker, Hiltz, Coffey)

Case No. 21-13, Barberry Homes, LLC, Request minor modification to the previously granted Comprehensive Permit:

Mr. Zuker made a motion to approve the minor modification as presented by the Applicant at the January 18, 2017 meeting and as per confirmation from the Town Engineer that there were no outstanding issues and to sign the document provided by the Applicant for minor modification, the motion was seconded by Mr. Hiltz, the motion carried 3-0-0 (Zuker, Hiltz, Coffey)

Craig Hiltz made a motion to accept the minutes of the previous hearings of October 26, 2016, November 9, 2016, December 7, 2016, and January 18, 2017, the motion was seconded by Matt Zuker, the motion carried 3-0-0 (Zucker, Hiltz, Coffey)

Mr. Zuker moved to adjourn. Motion seconded by Mr. Hiltz and voted 3-0-0 (Zuker, Hiltz, Coffey). The meeting adjourned at 9:56 p.m.

Respectfully submitted,

Craig Hiltz, Clerk