

## WALPOLE ZONING BOARD OF APPEALS MINUTES OF OCTOBER 16, 2019

A meeting of the Walpole Zoning Board of Appeals was held on Wednesday, October 16, 2019 at 7:00 PM in the Main Meeting Room at Walpole Town Hall. The following members were present: John Lee, Chairman; Susanne Murphy, Vice Chairman; Bob Fitzgerald, Clerk; Jane Coffey, Member; Rick Merrikin, Member; Drew Delaney, Associate Member.

7:00 PM Lee opened the meeting

### **Case No. 16-19, Christopher Ogilvie, 4 Cranberry Lane, Special Permit Request:**

Lee opened the hearing and read a letter addressed to the Board requesting a continuance without testimony until the next hearing available. Murphy made a motion to grant the continuance to 11/6/19 at 7PM in the Main Meeting Room at the applicants request, seconded by Coffey, the motion carried 5-0-0 (Lee, Fitzgerald, Murphy, Coffey, Merrikin)

### **Case No. 23-19, Colin Ryle, 9 Country Club Drive, Special Permit Request:**

#### **\*Susanne Murphy Recused herself of this hearing\***

Lee opened the hearing and read board comments. Applicant Colin Ryle was present and explained to the Board that he is seeking a special permit for an in-law suite. Ryle stated that there is existing adequate parking for three vehicles, and the in-law space will be approximately 600 s.f. Lee raised questions about the door on the plan that connects the family room and the dining room, to which Ryle agreed to remove the door to create an open flow. Ryle stated that the home will have no more than four 4 bedrooms and the total number of rooms in the house is the allowable nine. Lee opened the hearing up to the public for comment, which there was none. Fitzgerald made a motion to close the hearing, seconded by Merrikin, the motion carried 5-0-0 (Lee, Fitzgerald, Coffey, Merrikin, Delaney). Fitzgerald made a motion to grant the special permit, subject to standard conditions and the conditions that the home shall not have more than four bedrooms and nine rooms, and that the door between the family room and the dining room shall be removed, seconded by Merrikin, the motion carried 5-0-0 9Lee, Fitzgerald, Coffey, Merrikin, Delaney)

### **Case No. 20-19, Cidar Creek Homes, LLC., 960 West Street, Special Permit Request:**

Lee opened the hearing and read board comments. Kevin Fordham of Cider Creek Homes was present on behalf of the applicant, and explained to the Board that the applicant is requesting a special permit for an in-law suite that consists of one proposed bedroom, bringing the total number of bedrooms from three to four. The applicant is also proposing to upgrade the septic system and expand the leeching system. The proposed in-law addition is to be located in the back of the house, and will not be visible from the front of the property. The proposed in-law is 997 s.f. including the garage. With more information needed regarding the proposed upgraded septic system, changing the labeling of the office and changing the CO detectors, Coffey made a motion to continue the hearing on behalf of the applicant to 12/4/19 at 7PM in the Main Meeting Room, seconded by Murphy, the motion carried 5-0-0 (Lee, Fitzgerald, Murphy, Coffey, Merrikin)

**Case No. 18-19, Providence Highway Realty Ventures, LLC, 623 Boston Providence Hwy., Special Permit Requests:**

Lee opened the hearing and read a letter from Dan Merrikin of Legacy Engineering addressed to the Board requesting a continuance without testimony until the next hearing available. Murphy made a motion to grant the continuance to 11/6/19 at 7 PM in the Main Meeting Room at the applicants request, seconded by Coffey, the motion carried 5-0-0 (Lee, Fitzgerald, Murphy, Coffey, Merrikin)

**Case No. 21-19, Palaza Limited Partnership, 2181 Boston Providence Highway, Special Permit Request:**

**\*Rick Merrikin and Susanne Murphy recused themselves of this hearing\***

Lee opened the hearing and read board comments, Joanna Hilvert of Macchi & Macchi was present on behalf of the Applicant and explained to the Board that there is an existing static billboard located in the HBD that is a free standing sign for off premise advertising, and that they are looking to keep the use as is, with no change to the surface area and to remain conforming, while changing the sign setback and height of the billboard. Lee opened the hearing up to the public for comment which there was none. Coffey made a motion to close the hearing, seconded by Fitzgerald, the motion carried 4-0-0 (Lee, Fitzgerald, Coffey, Delaney). Coffey made a motion to grant the special permit, seconded by Fitzgerald with the following conditions; sign shall not be lit up after midnight; option for Police to use billboard for placement of repeaters and the like if necessary; no conversion to digital unless applicant comes before ZBA again; all DOT permits must be in place before applicant can proceed with construction, the motion carried 4-0-0 (Lee, Fitzgerald, Coffey, Delaney)

**Case No. 22-19, Optima Hospitality Group, LLC., 990 Boston Providence Highway, Special Permit and Variance Requests:**

Lee opened the hearing and read board comments. Phil Macchi of Macchi & Macchi was present on behalf of applicant David Wluka, who was also present, along with Dave Johnson of Norwood Engineering. Macchi explained to the Board that the applicant is proposing a 5 story hotel with 116 rooms, and is looking for a special permit for the alteration/expansion or extension of nonconforming parking within the setback, and is also seeking a variance to allow the maximum building height to be more than the allowed 45' ft. Wluka explained to the Board that 55% of this proposed hotel will be in Walpole, while the other 45% will be in Sharon. With further information and review needed, Murphy made a motion to continue the hearing on behalf of the applicant to 12/4/19, seconded by Coffey, the motion carried 5-0-0 (Lee, Fitzgerald, Murphy, Coffey, Merrikin)

**Case No. 24-19, New England Bar Pizza Co., dba Crisp, 1049 Main St., Variance Request:**

Lee opened the hearing and read board comments, applicant James Carnes was present and explained to the Board that he is seeking a variance for an addition to the rear of the existing nonconforming building which will be 4 ft. from the rear property line where 10 ft. is required. Murphy asked about the shed that was labelled on the 2014 plot plan that was submitted as "previously removed by previous owner", the applicant stated that the shed is actually still intact. There was insufficient information regarding the requested variance to make a decision, such as lack of an updated and current plot plan, renderings of the

wall facing the church, etc. Coffey made a motion to continue the hearing at the applicants request to 11/6/19, seconded by Murphy, the motion carried 5-0-0 (Lee, Fitzgerald, Murphy, Coffey, Merrikin)

Minutes:

There were no minutes accepted at this time.

Murphy made a motion to adjourn, seconded by Coffey, the motion carried 6-0-0 (Lee, Murphy, Fitzgerald, Coffey, Merrikin, Delaney)

**The meeting adjourned at 9:30 PM**