

WALPOLE ZONING BOARD OF APPEALS MINUTES OF OCTOBER 17, 2018

A meeting of the Walpole Zoning Board of Appeals was held on Wednesday, October 17, 2018 at 7:00 PM in the main meeting room. The following members were present: John Lee, Chairman; Susanne Murphy, Vice Chair; Robert Fitzgerald, Clerk; Craig Hiltz, Member; Mary Jane Coffey, Member.

7:00 PM Lee opened the meeting

Case No. 05-18, Supa Cars, LLC., 1900 Main Street, Amendment to a Special Permit & Special Permit Request:

Lee opened the hearing, Melissa Young was present, as well as Selectman David Salvatore. Melissa submitted information to the Board including the following; "Routing Diagram for 1900 Main" by R.A.V. Associates; Supa Cars, LLC. Safety Rules Policies & Procedures; Operation & Maintenance Manual; Tier 1 Qualified Facility SPCC Plan. Selectmen Salvatore spoke on the meeting that took place on 10/16/18 with the Applicant and the Department heads. The Applicant stated that they are not yet in full compliance with all of the Board/ Town Departments, and have not filed with the Conservation Commission or the Planning Board as of the current moment. Murphy made a motion to continue the hearing to January 2, 2019, seconded by Fitzgerald, the motion carried 4-0-1 (Lee, Murphy, Hiltz, Fitzgerald in favor; Coffey abstained).

Case No. 20-18, Sundeep Desai, 12 Hummingbird Lane, Special Permit Request:

Lee opened the hearing, Attorney Bill O'Connell of was present, along with the Applicant himself. Lee read Board comments that included comments from the Town Engineer. O'Connell explained that his client is seeking a Special Permit under Section 5-B.2 of the ZBL for a 417 sq.ft. accessory in-law suite off of the existing enclosed fireplace area of the house. It was stated that the proposed addition does not contain a kitchen, and the only rooms being proposed on the plans are a bedroom, bathroom, and walk-in closet. Lee opened the hearing up for public comment which included the following;

- Tim Curtin of 7 Lorraine Rd.: stated that multiple trees have been removed and the raised elevation of the yard is creating more water coming off of his property.

Lee asked the Applicant about the surface water and drainage- O'Connell stated that the Applicant has retained a hydrologic engineer who proposed a roof infiltration system that will be installed in late March/ early April in order to divert water from other properties. It was also stated by O'Connell that in the meantime the Applicant is attempting to contain water within a small area and manage on-site in the meantime in order to help with water.

The Board and the public had no other questions or concerns at this time. Fitzgerald made a motion to close the hearing, seconded by Murphy, the motion carried 5-0-0 (Lee, Murphy, Hiltz, Fitzgerald, Coffey). Due to the fact that the proposed addition had no kitchen area, the Board did not recognize this proposal as falling under the ZBL under 5-B.2 for an accessory in-law suite. Hiltz made a motion to amend the application from a Special Permit under Section 5-B.2 of the ZBL for an in-law suite to an Appeal of the Zoning Enforcement Officers' interpretation that a Special Permit for an in-law suite is required; and move to grant the appeal, seconded by Murphy, the motion carried 5-0-0 (Lee, Murphy, Fitzgerald, Hiltz, Coffey)

Susanne Murphy recused herself at 8:35 PM and did not return to open session

Case No. 21-18, Ron Fucile, 87 Lewis Avenue, Special Permit Request:

Lee opened the hearing, Attorney Joanna Hilvert of Macchi & Macchi was present, along with the Applicant himself and John Glossa of Glossa Engineering. Lee read Board comments that included comments from the Town Engineer and the Conservation Commission. Hilvert submitted a Memorandum In Support of Application for the Special Permit. It was stated that the lot is 60,000 sq.ft. with an already existing single family home on the lot, and the applicant is proposing to remove an existing garage and add an additional single family home on the same lot. The Applicant has filed with the Conservation Commission and the Planning Board, with hearings scheduled in the next upcoming weeks. It was noted that the existing house does comply with all Zoning requirements and the proposed second house will comply as well. The proposed house is a 1,600 sq.ft. single story home, with the design and placement of the house to remain in character with the neighborhood, as well as not being visible from the from existing dwelling, and the existing driveway to remain in the same position. Hilvert stated that the location of the property is located within the GR district, which allows the proposed project. Glossa explained that the location and position of the house is due to the location of the wetlands on the property, and the proposed alteration of the outer riparian zone is approx. 2,000 sq.ft. There will be minor changes to grading, the existing house is connected to Town sewer, and so will the proposed house, with the new house to have a separate water service, along with the driveway to be widened to 20 ft. Hiltz suggested that a legally enforceable maintenance agreement/ restriction for the sewer to be approved by the Town Engineer. Lee opened the hearing up for public comment which included the following;

- Linda Garr of 92 Lewis Ave.: expressed support of the project

With no further questions or comments from the Board or the public, Coffey made a motion to close the hearing, seconded by Fitzgerald, the motion carried 4-0-0 (Lee, Fitzgerald, Coffey, Hiltz). Fitzgerald made a motion to grant the Special permit with standard conditions and imposed conditions, seconded by Hiltz, the motion carried 4-0-0 (Lee, Fitzgerald, Coffey, Hiltz).

Minutes:

9/19/2018: Hiltz made a motion to accept the minutes, seconded by Fitzgerald, the motion carried 4-0-1 (Lee, Murphy, Hiltz, Fitzgerald in favor, Coffey abstained)

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

The meeting adjourned at 10:00 PM