

WALPOLE ZONING BOARD OF APPEALS MINUTES OF MARCH 6, 2019

A meeting of the Walpole Zoning Board of Appeals was held on Wednesday, March 6, 2019 at 7:00 PM in the Richard Stillman Community Room at Walpole Police Department. The following members were present: John Lee, Chairman; Susanne Murphy, Vice Chair; Bob Fitzgerald, Clerk; Mary Jane Coffey, Member; Rock Merrikin, Member; Drew Delaney, Associate Member.

7:00 PM Lee opened the meeting

*Susanne Murphy recused herself from the hearings below:

Case No. 24-18, Titanium Group, Inc., 2285 Providence Highway, Special Permit and Variance Requests:

Lee opened the hearing and read a letter from the Applicant requesting to withdraw the applications for the Special Permits and Variance Requests without prejudice that are currently before the Board. Coffey made a motion to accept the withdrawal without prejudice at the Applicant's request, seconded by Fitzgerald, the motion carried 5-0-0 (Lee, Fitzgerald, Coffey, Merrikin, Delaney).

Case No. 26-18, Highland Development Ventures, LLC., Foxhill Drive (Map 53/Parcel 34), Special Permit Request:

Lee opened the hearing, Attorney Tom Brady was present on behalf of the Applicant. Brady explained to the Board that the Planning Board granted the Applicant site approval for the proposed project at their February 21, 2019 meeting. Brady stated that the only changes made to the plan from the Planning Board was the removal of the back gate at the request of the Police and Fire Depts., there were no changes made to the plan regarding parking. Lee opened the hearing up to the public for comment, which there was none. Merrikin made a motion to close the hearing, seconded by Coffey, the motion carried 5-0-0 (Lee, Fitzgerald, Coffey, Merrikin, Delaney). Delaney made a motion to grant the Special Permit with the condition that the project shall be built according to the final plans approved by the Planning Board with a revision date of March 1, 2019, seconded by Fitzgerald, the motion carried 5-0-0 (Lee, Fitzgerald, Coffey, Merrikin, Delaney).

Susanne Murphy returned to the meeting

Rick Merrikin recused himself from the hearing below

Case No. 01-19, Patricia Pizzano, 98 Summit Ave., Special Permit Request:

Lee opened the hearing and read Board comments. Dan Merrikin of Legacy Engineering was present and representing the Applicant. Merrikin explained that he Applicant is seeking Special Permits for the demolition and reconstruction of an existing single-family dwelling on a non-conforming lot, along with a determination to allow the existing dwelling to be demolished and reconstruction so the use will not be considered abandoned. Submitted at the hearing by Merrikin was a legal opinion by Attorney Jim Brady. With further information needed and time for the Board to further review the materials submitted at the hearing, Murphy made a motion to continue the hearing to March 20, 2019 at 7PM in the Richard Stillman Community Room at the Police Station, seconded by Coffey, the motion carried 5-0-0 (Lee, Murphy, Coffey, Fitzgerald, Delaney).

Rick Merrikin returned to the meeting

Case No. 02-19, Red Cherry, Inc., 1049 Main Street, Variance Request:

Lee opened the hearing and read Board comments. Evelyn Sidiropoulos was present representing the Applicant and submitted a description of the project, a plot plan and a copy of a previous ZBA decision from 2015. Evelyn explained that the proposed extension will house dry storage, extra refrigeration and kitchen space. With further information needed regarding the proposed extension, Lee recommended that the Applicant work with John Charbonneau of Economic Development with regards to an updated plan with accurate and specific information in order to gain a better understanding of what is being proposed. Murphy made a motion to continue the hearing to April 3, 2019 at 7PM in the Richard Stillman Community Room of the Police Department at the Applicants request, seconded by Coffey, the motion carried 5-0-0 (Lee, Murphy, Fitzgerald, Coffey, Merrikin).

Case No. 05-19, Wall Street Development Corp.- Burns Avenue Development LLC., 48 Burns Ave. (Map 20/ Parcels 119, 136 & 137), Comprehensive Permit:

Lee opened the hearing, Applicant Lou Petrozzi of Wall Street Development was present. Petrozzi explained to the Board that he is seeking a Comprehensive Permit, which consists of a proposed thirty-six (36) unit condominium/ townhouse style development with seven (7) principle buildings with 3.5 stories each. The units will consist of a one car garage, asphalt driveways, with ten 3-bedroom units and the rest to have 2-bedroom units. The site is approx. 3.2 acres, with Town water and sewer proposed, along with underground utilities. Petrozzi stated that he has site control of the entire property. Lee opened the hearing up to the public for comment, which consisted of the following;

Liz Barrows- 189 Union St.: questions regarding Town Department comments and soil make-up.

Robert O'Leary- Washington St.: site access to Burns Avenue.

Cathy & Chris Campbell- 35 Burns Ave.: submitted surveyed plan of Land of their property.

Jack Conroy- Burns Ave.: questions of easement issues, site access, timing of application submission.

Kerry Snyder- Neponset River Assoc.: concerns about Traphole Brook and trout.

Lee stated that certain questions need to be addressed by Town Counsel to gain clarity on some of the topics and concerns listed above, along with contacting Mass Housing for further clarification on items. With no other input from the public and clarification needed, Murphy made a motion to continue the hearing at the Applicants request to April 3, 2019 at 7PM in the Richard Stillman Community Room at the Police Department, seconded by Coffey, the motion carried 5-0-0 (Lee, Fitzgerald, Murphy, Coffey, Merrikin).

Minutes: 1/16/19: Merrikin made a motion to accept the minutes, seconded by Coffey, the motion carried 5-0-1 (Lee, Fitzgerald, Coffey, Merrikin, Delaney in favor; Murphy abstained).

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

The meeting adjourned at 9:00 PM