

## WALPOLE ZONING BOARD OF APPEALS MINUTES OF JUNE 6, 2018

A meeting of the Walpole Zoning Board of Appeals was held on Wednesday, JUNE 6, 2018 at 7:00 PM in the main meeting room. The following members were present: Matthew Zuker, Chairman; Craig Hiltz, Vice Chairman; Susanne Murphy, Member; John Lee, Associate Member.

Absent: Mary Jane Coffey; Robert Fitzgerald, Clerk

7:05 PM Zuker opened the meeting

### **Case No. 09-18, Javier Fortin, 1 Rustic Road, Special Permit Request & Appeal of ZEO:**

Zuker opened the hearing, Applicant Javier Fortin was present, along with the architect, Vahe Ohannessian, of Boston Architects and Builders, Inc. Revised plans were submitted to Board, dated 6/6/18, with the following changes: removal of two dormers and replaced with one, removal of second door and replaced with windows, and the main house showing an extension on deck in order to change the appearance of the outside. It was noted that no changes on the inside of the structures or footprint were made. Zuker stated that there's an outstanding issue regarding the sideline setbacks. Applicant is proposing a front and 3 side yard setbacks, while the Zoning Enforcement Officer's determination is a front, rear and two side yard setbacks. ZEO Dave Norton stated that frontage is on Rustic Rd., with a rear yard in the opposite facing direction of the front door or the structure. Zuker opened the hearing up to the public for comment, which there wasn't any. Lee made a motion to close this portion of the hearing regarding the appeal of the Building inspector/ Zoning Enforcement Officers determination, seconded by Murphy, the motion carried 4-0-0 (Zuker, Hiltz, Murphy, Lee). Lee made a motion to uphold the decision of the Building Inspector/ Zoning Enforcement Officer with respect to the rear and sideline setback, seconded by Murphy, the motion carried 4-0-0 (Zuker, Hiltz, Murphy, Lee). With regards to the Special Permit portion of the hearing, Hiltz stated that bringing the proposed in-law more forward in line with the house would make it appear more of a single family house. Due to issues with the phasing of the project and occupancy, the Applicant requested that additional time be given to make revisions to the plan and present to the Board. Zuker made a motion to take a 5 minute recess, seconded by Murphy, the motion carried 4-0-0 (Zuker, Hiltz, Murphy, Lee). Zuker made a motion to come back in to open session, seconded by Murphy, the motion carried 4-0-0 (Zuker, Hiltz, Murphy, Lee). Zuker made a motion to continue the hearing to July 25, 2018 at 7:00 PM, seconded by Murphy, the motion carried 4-0-0 (Zuker, Hiltz, Murphy, Lee).

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

Applicant Melissa Young was present, and explained to the Board that the installation of the tight tank was placed under a cease and desist by the Board of Health. Young stated that the restoration plan that was required from the Conservation Commission has been completed today, and therefore there is no letter from Conservation Agent related to progress made. Hiltz stated that a plan still needs to be submitted regarding procedures for monitoring the business activity to ensure it of compliances and town/state law in order to ensure there's no oversight. Lee stated that a copy of the license from the Board of Selectmen regarding the allowance of 18 cars on a lot has yet to be submitted. With the lack of

information submitted, Murphy made a motion to continue the hearing to August 15, 2018 at 7:00 PM, seconded by Lee, the motion carried 4-0-0 (Zuker, Hiltz, Murphy, Lee).

**Case No. 13-18, Kieran Kennedy, 380 Washington Street, Special Permit Request:**

Applicant Kieran Kennedy was present and explained to the Board that there was a 12x 20 carport that was in bad shape and taken down in 2015 due to a storm, and he is seeking a special permit in order to create a deck in the place of the carport, with the same footprint. Letters from abutters were submitted from direct abutters, from Molly Moran and Walter Lacivita Jr. stating that they're in favor of the project. It was stated that since the proposed deck will be in the exact footprint of the previously existing carport, there is no detrimental effect to the neighborhood and no increase in nonconformity. Zuker opened the hearing up to the public for comments, which there wasn't any. With no further questions or concerns, Murphy made a motion to close the public hearing, seconded by Zuker, the motion carried 4-0-0 (Zuker, Hiltz, Murphy, Lee). Murphy made a motion to grant the special permit, with one condition regarding the "cone of light", seconded by Hiltz, the motion carried 4-0-0 (Zuker, Hiltz, Murphy, Lee).

Zuker made a motion to adjourn, seconded by Hiltz, the motion carried 4-0-0 (Zuker, Hiltz, Murphy, Lee)

**The meeting adjourned at 9:05 PM**