

## WALPOLE ZONING BOARD OF APPEALS MINUTES OF SEPTEMBER 4, 2019

A meeting of the Walpole Zoning Board of Appeals was held on Wednesday, September 4, 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; Rick Merrikin, Member; Drew Delaney, Associate Member.

7:00 PM Lee opened the meeting

### **Case No. 19-19, John Shalbey, 2180 Boston Providence Hwy., Special Permit/ Variance Requests:**

Lee opened the hearing, and read a letter addressed to the Board from the Applicant stating a request to continue the hearing without testimony to December 4, 2019. Merrikin made a motion to accept the Applicant's request to continue to December 4, 2019 at 7PM in the Main Meeting Room, seconded by Fitzgerald, the motion carried 4-0-1 (Lee, Fitzgerald, Merrikin, Delaney in favor; Murphy abstained)

\*Rick Merrikin recused himself of the hearing below\*

### **Case No. 12-19, Dawn Piso, 1 Peach Street, Special Permit Request:**

Lee opened the hearing, Architect John Chapman was present on behalf of the Applicant and explained that he had submitted revised plans, dated 8/24/19 that reflected the elimination of one of the curb-cuts, which was a concern of the Board and Town Engineer at the previous hearings. The Board had no further concerns with the revised plan, Lee opened the hearing up to the public for comment, which there was none. Murphy made a motion to close the hearing, seconded by Fitzgerald, the motion carried 4-0-0 (Lee, Fitzgerald, Murphy, Delaney). Murphy made a motion to grant the Special Permit with standard conditions in place, and the additional condition that the Accessory In-Law Suite is to a one-story dwelling, seconded by Delaney, the motion carried 4-0-0 (Lee, Fitzgerald, Murphy, Delaney)

\*Rick Merrikin returned to the meeting\*

### **Case No. 17-19, Leanne Murphy, 12 Maude Terrace, Special Permit Request:**

Lee opened the hearing and read Board comments. Chris Drinan of Colwell Architects was present on behalf of the Applicant, and explained to the Board that the Applicant is proposing to demolish the existing two car garage and rebuild a new and slightly larger two car garage that will have a second story to use as an In-Law apartment for the Applicants' mother. It was stated that adequate parking is available from the two car garage and the paved driveway, and the square footage of the in-law will be 980 sq. ft. The Board expressed concern over the door that leads from the mudroom up to the In-Law apartment. Drinan stated that the Applicant is willing to eliminate the door in question. Lee opened the hearing up to the public for comment, which there was none. Murphy made a motion to close the hearing, seconded by Merrikin, the motion carried 5-0-0 (Lee, Fitzgerald, Murphy, Merrikin, Delaney). Murphy made a motion to grant the Special Permit based on the plans submitted dated 8/21/19 and plot plan dated 7/11/19 with standard conditions in place, along with the following conditions; square footage and percentage should be on plan, square footage of In-Law will not exceed 1000 s. ft. and the doorway going from the mudroom leading up to the In-Law apartment will be removed. This motion was seconded by Merrikin, the motion carried 5-0-0 (Lee, Fitzgerald, Murphy, Merrikin, Delaney)

\*Rick Merrikin recused himself of the hearing below\*

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

Lee opened the hearing, and read Board comments from S&W, BOH, Conservation, Planning and Engineering. Dan Merrikin of Legacy Engineering was present on behalf of the Applicant. Merrikin explained that this property was before the ZBA in 2018 for the expansion of the storage of cars from 60 to 100, which was approved. It was stated that the Applicant has filed with the Planning Board for Site Plan Approval, and the Conservation Commission for a Land Disturbance Permit, and will be submitting a septic plan to the BOH in the near future. The Applicant is proposing to demolish the existing building in order to build a new building and expand the parking areas with paving into the back portion of the property. The purpose of the proposed activity is to increase the storage of cars from the allowable 100 to 209 vehicles. The Applicant is also seeking to maintain the nonconforming use of the front of the property of 30 ft., since the setback from the highway in this district is 50 ft. that was reduced due to the state widening the highway by 20 ft. in the past. Lee stated he has concerns with the setback, and the Applicant needs to address comments made by other Boards. Lee opened the hearing up to the public for comment, which a concern regarding plantings and lighting was raised. With revisions needed and Board comments needing to be addressed, Murphy made a motion to continue the hearing to October 16, 2019 at 7PM in the Main Meeting Room at the Applicants request, seconded by Delaney, the motion carried 4-0-0 (Lee, Fitzgerald, Murphy, Delaney)

Minutes: Fitzgerald made a motion to accept the minutes as edited of 8/28/19, seconded by Murphy, the motion carried 5-0-0 (Lee, Murphy, Fitzgerald, Merrikin, Delaney)

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

**The meeting adjourned at 8:00 PM**

Accepted 12/4/19