

The September 12, 2012 meeting of the Walpole Zoning Board of Appeals was held in the Main Meeting Room of Town Hall.

Chairman Susanne Murphy called the meeting to order at 7:00 P.M. with the following members present:

Susanne Murphy, Chairman
James M. Stanton, Vice Chairman
Daniel J. Cunningham, Jr., Clerk
Ted C. Case, Member
James S. DeCelle, Member (not present)

Matthew Zuker, Associate member

7:00 p.m. – John O’Brien – Case #20-12

Ms. Murphy read the public hearing notice for **JOHN O’BRIEN, Case #20-12**, with respect to property located at 8 Vintage Farm Lane, Walpole and shown on the Assessors Map as Lot No. 44-6, Rural Zone.

The application is for:

A Special permit under Section 5.B.3.n of the Zoning Bylaws to allow a four-car garage in total where a three-car garage is allowed.

Mr. O’Brien explained that he has a 1967 Camaro and needs additional garage space; currently has a two-car garage. There will be no commercial vehicles. He also intends to add a mudroom with a room above that is not going to be finished off. The construction will match the existing home.

Ms. Murphy asked if there were any comments from the public.

Frank Mahoney, 695 Winter St., an abutter, spoke in favor of the application.

A motion was made by Ms. Murphy, seconded by Mr. Cunningham, to close the public hearing.

The vote was **5-0-0 in favor**. (Murphy, Stanton, Cunningham, Case, Zuker voting)

A motion was made by Ms. Murphy and seconded by Mr. Cunningham on behalf of the applicant to grant Special Permit under Section 5.B.3.n of the Zoning Bylaws to allow a four-car garage in total where a three-car garage is allowed.

The vote was **5-0-0 in favor**; therefore the application for **Special Permit is hereby granted**, subject to the following conditions:

CONDITIONS:

1. As stipulated by the applicant at the public hearing, the structure shall be constructed as presented in the plan dated April 20, 2012, submitted at the public hearing.

2. As stipulated by the applicant at the public hearing, the structure shall be an additional two-car garage with an attached mudroom and no inhabitable living space on the second floor.
3. As stipulated by the applicant at the public hearing, the structure shall meet all dimensional setbacks.
4. This Special Permit shall lapse within two years, which shall not include such time required to pursue or await the determination of an appeal under G.L.c.40A, Section 17, if substantial use has not sooner commenced except for good cause.

REASONS:

It is the finding of the Board that the applicant has met the requirements under Section 2B of the Zoning By Laws in that:

- i. ***Shall not have vehicular and pedestrian traffic of a type and quantity so as to adversely affect the immediate neighborhood.***
The construction shall not cause vehicular and pedestrian traffic of a type and quantity so as to adversely affect the immediate neighborhood.
- ii. ***Shall not have a number of residents, employees, customers, or visitors, so as to adversely affect the immediate neighborhood.***
The construction shall not have a number of residents, employees, customers, or visitors, so as to adversely affect the immediate neighborhood.
- iii. ***Shall not have a greater lot coverage than allowed in the zoning district in which the premises is located (refer to Section 4-B).***
The construction shall not have a greater lot coverage than allowed in the zoning district in which the premises is located.
- iv. ***Shall not be dangerous to the immediate neighborhood of the premises through fire, explosion, emission of wastes, or other causes.***
The construction shall not be dangerous to the immediate neighborhood of the premises through fire, explosion, emission of wastes, or other causes.
- v. ***Shall not create such noise, vibration, dust, heat, smoke, fumes, odor, glare or other nuisance or serious hazard so as to adversely affect the immediate neighborhood.***
The construction shall not create such noise, vibration, dust, heat, smoke, fumes, odor, glare or other nuisance or serious hazard so as to adversely affect the immediate neighborhood.
- vi. ***Shall not adversely effect the character of the immediate neighborhood.***
The construction shall not adversely effect the character of the immediate neighborhood.
- vii. ***Shall not be incompatible with the purpose of the zoning bylaw or the purpose of the zoning district in which the premises is located.***
The construction shall not be incompatible with the purpose of the zoning bylaw or the purpose of the zoning district in which the premises is located.

The grant of relief under this decision is limited to the relief expressly granted hereunder; and any other relief sought is hereby denied.

Decisions Pending:

John Lubold – Case #18-12

Ms. Murphy and Mr. Case suggested waiting for Mr. DeCelle to be present before voting on the decision; all members agreed.

MINUTES

A motion was made by Ms. Murphy, seconded by Mr. Cunningham, to approve the minutes of July 18, 2012, June 13, 2012, May 23, 2012, and May 9, 2012 as written.

The vote was **5-0-0 in favor.** (Murphy, Stanton, Cunningham, Case, Zuker voting)

There being no further business, the seminar was closed at 9:30 p.m.

Daniel J. Cunningham, Jr.
Clerk

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Minutes were approved on October 24, 2012.