

**Town of Norfolk
Zoning Board of Appeals
One Liberty Lane
Norfolk, MA 02056**

February 15, 2017

Zoning Board Members	Others
Michael Kulesza –Chairman ----- present	Betsy Fijol--Administrative Assistant --Present
Robert Luciano –Vice Chairman---present	
Christopher Wider – Clerk -----present	
Joseph Sebastiano –Full Member - present	
Donald Hanssen – Full Member – absent	
-Associate Member - vacant	

The duly posted meeting of the Zoning Board of Appeals convened at 7:10 P.M. in Room 124 at the Norfolk Town Hall. Mr. Kulesza announced that this meeting was being audio and video recorded.

MINUTES:

- January 18, 2017

Mr. Wider made a motion to accept the minutes of January 18, 2017, as written; Mr. Luciano seconded the motion; the vote on the motion was unanimous.

PUBLIC HEARINGS: NONE

DISCUSSIONS: 117 SEEKONK STREET-DOGGIE DAY CARE BUSINESS

Henry Kanter explained that he has been operating a dog day care business at his residence since 2011, but was unaware at that time that he needed a kennel permit. By the time Mr. Kanter realized this and applied to the ZBA for a Special Permit to operate a commercial kennel, the Zoning Bylaw had changed to require 5 acres of land, kennel enclosures must be at least 100 feet to the property line and 500 feet to neighboring dwellings. The Special Permit was denied because he did not meet those dimensional requirements and he has received a cease and desist from the Building Commissioner. Mr. Kanter said that he has not been operating his doggie playgroup business since November 16, 2016. Mr. Kanter said that he feels his business should be “grandfathered” because his business was operating prior to the Zoning change, even though he did not obtain the appropriate permits.

A Zoning Bylaw change was proposed at this past Fall Town Meeting so that Mr. Kantor’s property would meet the required dimensional requirements for a commercial kennel, but this bylaw changed failed to pass.

Mr. Kanter said that he is seeking approval from the ZBA to continue operating his dog day care business for the next year or two until his children are out of college.

Kathy Kubit, 88 Cleveland Street, said she has never heard any dogs and supports the Kanters’ doggie day care business.

Mr. Wider said that the Town’s legal counsel should be consulted to see if there is any other avenue in order to allow this business.

**DELIBERATE & VOTE: NORFOLK COMMONS CONDOMINIUMS,
MEETINGHOUSE ROAD -11th MODIFICATION TO COMPREHENSIVE PERMIT
(continued from 1/18/17)**

The Board continued deliberations for Meetinghouse Road, 11th Modification to the Norfolk Commons Comprehensive Permit.

Mr. Kulesza explained that the Town took ownership of the street, sidewalks & lamp posts when Borrelli conveyed the land over to the Town through a sum of money. The Norfolk Commons condo association will be reimbursed for the electricity for the light post that they have been paying. It is appropriate for the Town to relocate 4 street lights across the street and have Mr. Marini install a minimum of one new street light.

- Pumphouse location proposal
- Sidewalks going from 8' to 5'
- Lighting
 - Existing lighting being moved across the street
 - Lighting at the ends of personal walkways
- Mailbox location proposal
- Dumpster location proposal
- Slight adjustment to Building #4 in relation to the circle

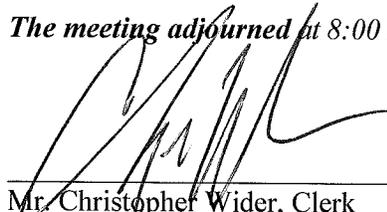
Mr. Wider made a motion to approve the 11th modification for the Norfolk Commons Condominiums on Meetinghouse Road for Meeting House Village LLC, application submitted on November 7, 2016, as follows:

- *To allow a reduction of the sidewalk width from 8' to 5' on Mr. Marini's side of the street.*
- *To allow the proposed mailboxes to be placed in front of the proposed building for the site fire pump*
- *To allow construction of a building for the site fire pump.*
- *To allow Mr. Marini to move and install the 4 existing street lights from across the street to Mr. Marini's side of the street in accordance with the plan of record dated November 7, 2016 and signed by the Chairman. Mr. Marini will purchase and install a minimum of at least one additional street light. ~~The town~~ Mr. Marini will patch the asphalt or concrete on the side of the street where the lights are being removed.*

Mr. Sebastiano seconded the motion; the vote on the motion was unanimous.

Mr. Wider made a motion to adjourn the meeting; Mr. Luciano seconded the motion; the vote on the motion was unanimous.

The meeting adjourned at 8:00 P.M.



Mr. Christopher Wider, Clerk

In accordance with the requirements of G.L. 30 § 22, approval of these minutes by the Board constitutes its certification of the date, time and place of the meeting, the members present and absent, the matters discussed, and the action taken by the Board with regard to those matters (if any). Any other information contained in these minutes is included for context only. Notes memorializing deliberation or discussion of any matter are in the summary form and may include inaccuracies or omissions. Where proof of the content of a statement is required, a tape recording or transcript should be consulted, if available.