

Zoning Board of Appeals
 One Liberty Lane
 Norfolk, MA 02056
 August 21, 2019
 7:00 P.M.

Christopher Wider – Chair ----- Present	Medora Champagne – Associate Member-- Absent
Michael Kulesza – Vice Chair ----- Present	Amy Brady – Administrative Assistant----- Present
Joseph Sebastiano – Clerk----- Present	
Donald Hanssen – Member ----- Present	
Devin Howe – Member ----- Present	

The duly posted meeting of the Norfolk Zoning Board of Appeals convened at 7:10 P.M. Room 124 of the Norfolk Town Hall. Mr. Wider announced that the meeting was being video- and audiotaped

PUBLIC HEARINGS:

4 & 6 Hill Street SP – Mr. Wider said the applicant has requested a Withdrawal without prejudice; he is undergoing site review with Planning Board and does not feel the this Special Permit request is warranted at this time.

Mr. Sebastiano made a motion to withdraw the application without prejudice; Mr. Hanssen seconded the motion; the vote on the motion was unanimous.

6 Hill Street Appeal – Mr. Wider said the applicant has requested a continuance until the Planning Board work is completed.

Mr. Sebastiano made a motion to continue the hearing to September 18, 2019 at 7:00 P.M.; Mr. Kulesza seconded the motion; the vote on the motion was unanimous.

~~Minutes – August 7 – joe/mike – page 4 Mr. Howe “asked” why age restricted~~

MINUTES:

August 7, 2019 – Mr. Wider noted that on page 4, the word “asked” was left out. *Mr. Sebastiano made a motion to accept the minutes of August 7, 2019, as amended; Mr. Hanssen seconded the motion; the vote on the motion was unanimous.*

PUBLIC HEARINGS: (cont’d)

15 Bridie Ln, Special Permit (cont’d from 8/7/19)

Plans presented and referred to were entitled “Plan of Land, 13 & 15 Bridie Lane, Norfolk, MA,” prepared by Paul N. Robinson Associates, Inc., dated November 21, 2005, as incorporated in the Boston Solar/Blake Randolph Application for ZBA Special Permit, dated June 20, 2019, and “Site Plan,” prepared for Patricia Dini, 15 Bridie Lane, Norfolk, MA, by The Boston Solar Company, dated April 17, 2019; photographs presented by the applicant showing trees on 13 Bridie Lane, prior to removal. Present were Stefan Rosellini, Boston Solar; Bill & Patricia Dini, applicants.

Mr. Rosellini said the site walk the previous night, attended by 3 ZBA members and the residents of 13 Bridie Lane (abutters,) showed that the residents at 13 Bridie Lane appear to be the only neighbors who will be able to see the array. New plans have been submitted showing additional measurements, as well as some trees for screening. Mr. Rosellini said the Dinis, applicant/residents of 15 Bridie Lane, would like the board to consider that the developer for 13 Bridie Lane removed all of the trees that would have provided screening.

Discussion ensued as to who would be responsible for providing screening, given the applicant's statements about perceived issues with the development of 13 Bridie Lane.

Mr. Sebastiano made a motion to close the hearing; Mr. Hanssen seconded the motion; the vote on the motion was unanimous.

39 Mirror Lake Ave, Special Permit

Mr. Sebastiano read the public notice into the record. Plans presented and referred to were entitled "On-site Sewage Disposal System, 39 Mirror Lake Ave, Norfolk, MA," dated 6/21/19, prepared by DMG Associates of Berkley, MA, and "39 Mirror Lake Ave," dated 4/19/19, prepared by Creative Designs by Scott Rapoza of Mansfield, MA. Present were Rob O'Donnell, REmax Realty; Don Brian, J&D Remodeling.

Mr. Brian showed pictures of the existing house, stating it had existing decks, which have been mostly removed, and are being rebuilt in the same footprints. Mr. Wider signed the plan into the record. Discussion ensued with regard to the dimensions of stairs for the deck. It was decided that the applicant would submit a new drawing.

Mr. Kulesza made a motion to continue the hearing to September 4, 2019 at 7:00 P.M.; Mr. Sebastiano seconded the motion; the vote on the motion was unanimous.

DELIBERATIONS:

10 Old Populatic, Special Permit (closed on 8/7/19)

Mr. Wider said he had originally questioned the 24' x 24' garage, but has since talked to the Building Inspector, and looked at building codes and case studies, and determined that it is allowed. The height of the garage is 17'6", so the side setback must be at least 17'6". A landing can be added that does not exceed 30 s.f. (i.e. about 5' x 6') in accordance with E.2.d. The special permit request criteria were read into the record.

Mr. Sebastiano made a motion to issue the Special Permit for the residence at 10 Old Populatic Road; Mr. Hanssen seconded the motion; the vote on the motion was as follows:

Devin Howe	–	<i>yes to grant</i>
Michael Kulesza	–	<i>yes to grant</i>
Joseph Sebastiano	–	<i>yes to grant</i>
Donald Hanssen	–	<i>yes to grant</i>
Christopher Wider	–	<i>yes to grant</i>

35 Leland Road (closed on 8/7/19)

Mr. Wider signed the plan into the record. All of the existing and proposed setbacks are listed on the plan. Proposed house with garage and deck will be less nonconforming than the existing. The property is currently in hearings with the Conservation Commission. The special permit request criteria were read into the record.

Mr. Hanssen made a motion to issue the Special Permit for the residence at 35 Leland Road; Mr. Sebastiano seconded the motion; the vote on the motion was as follows:

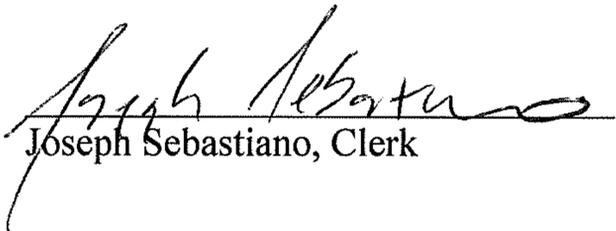
Devin Howe	–	<i>yes to grant</i>
Michael Kulesza	–	<i>yes to grant</i>
Joseph Sebastiano	–	<i>yes to grant</i>
Donald Hanssen	–	<i>yes to grant</i>
Christopher Wider	–	<i>yes to grant</i>

A 17' x 35' ground mounted solar array is proposed; height will be 12' at the Northern side, 3' at the Southern side; one abutter was present; a site walk was done on 8/20/19; ground array was chosen because roof is East-West facing, and because of the potential cost of future re-roofing; a survey was done to determine the optimum place on the property; there was one tree that the owners felt was sufficient to block it from the neighbor; the developer and the owner for this project had stated that the developer for 13 Bridie Lane had cut down trees they should not have; based on the site walk, the only abutter with a direct line of sight is the abutter at 13 Bridie Lane; representative from Boston Solar said there would be no operational noise. The array meets the setback requirements for an accessory structure. The special permit request criteria were read into the record. Discussion ensued with regard to evergreen screening for an area of approximately 20' in length, where the array can be seen from #13 Bridie. It was decided that four 6' evergreen trees would be conditioned in the decision.

Mr. Hanssen made a motion to issue the Special Permit for the residence at 35 Leland Road; Mr. Kulesza seconded the motion; the vote on the motion was as follows:

Devin Howe	–	<i>yes to grant</i>
Michael Kulesza	–	<i>yes to grant</i>
Joseph Sebastiano	–	<i>yes to grant</i>
Donald Hanssen	–	<i>yes to grant</i>
Christopher Wider	–	<i>yes to grant</i>

Mr. Hanssen made a motion to adjourn the meeting at 8:48 P.M.; Mr. Kulesza seconded the motion; the vote on the motion was unanimous.


Joseph Sebastiano, Clerk