

Zoning Board of Appeals  
 One Liberty Lane  
 Norfolk, MA 02056  
 September 18, 2019  
 7:00 P.M.

Christopher Wider – Chair ----- Present	Medora Champagne – Associate Member--Present
Michael Kulesza – Vice Chair ----- Present	Daniel Hill – 40B Consultant Attorney ---- Present
Joseph Sebastiano – Clerk----- Present*	Amy Brady – Administrative Assistant----- Present
Donald Hanssen – Member ----- Present	
Devin Howe – Member ----- Present	

The duly posted meeting of the Norfolk Zoning Board of Appeals convened at 7:00 P.M. Room 124 of the Norfolk Town Hall. Mr. Wider announced that the meeting was being video- and audiotaped

**PUBLIC HEARINGS:**

5 Philips Way, SP

Mr. Hanssen read the public notice into the record. Present was the applicant, John Puntonio. Plans presented and referred to were entitled “Layout Plan, 5 Phillips Way, Norfolk, MA,” prepared by United Consultants, Inc. (UCI), dated 12/20/18, rev. through 6/14/19

Mr. Puntonio explained that it was recently brought to his attention by the Building Inspector that the parking on his lot extended into the front yard and they were therefore required to apply for a Special Permit from the Zoning Board of Appeals (ZBA.) He showed on the plan why it was not possible to locate the parking elsewhere on the lot. Lighting was worked out with the Planning Board.

*Mr. Hanssen made a motion to close the hearing; Mr. Howe seconded the motion; the vote on the motion was 4 – 0 – 1\**

7:00 P.M. – 6 Hill Street, Appeal (cont’d from 8/21/19)

Mr. Wider stated that the applicant has asked for a continuation until October 16, 2019.

*Mr. Howe made a motion to continue the hearing to October 16, 2019, at 7:30 P.M.; Mr. Hanssen seconded the motion; the vote on the motion was 4 – 0 – 1\**

7:15 P.M. – 194 Main St, “Residences at Norfolk Station” CP (cont’d from 8/7/19)

Mr. Wider stated that the applicant has asked for a continuation until October 16, 2019.

*Mr. Kulesza made a motion to continue the hearing to October 16, 2019, at 7:00 P.M.; Mr. Howe seconded the motion; the vote on the motion was 4 – 0 – 1\**

**MINUTES:**

*Mr. Kulesza made a motion to accept the minutes of July 31, 2019; Mr. Howe seconded the motion; the vote on the motion was 4 – 0 – 1\**

*Mr. Hanssen made a motion to accept the minutes of August 21, 2019; Mr. Kulesza seconded the motion; the vote on the motion was 4 – 0 – 1\**

\*Mr. Sebastiano arrived at 7:20 P.M., after these votes were taken.

**DELIBERATIONS:**

39 Mirror Lake Avenue, SP (closed 9/4/19)

Findings of Fact:

Property is located at 39 Mirror Lake, R-3 zoning district, Assessor’s Map 12/64/10

Cantilevered deck is 4’ x 24’

Existing lower deck is 11’8” x (length unknown) – not to be extended

Revised Plan A.1. showed that the proposed new staircase has been removed

The septic plan showed a slightly different footprint than what was shown in the photographs

Mr. Wider read Appendix B into the record. In response to Mr. Sebastiano, Mr. Wider said the only special condition would be that there would be no stairs.

***Mr. Sebastiano made a motion to grant the Special Permit for 39 Mirror Lake Avenue; Mr. Kulesza seconded the motion; the vote on the motion was as follows:***

- Christopher Wider* - *yes to grant*
- Michael Kulesza* - *yes to grant*
- Devin Howe* - *yes to grant*
- Joseph Sebastiano* - *yes to grant*
- Donald Hanssen* - *yes to grant*

5 Shire Dr, SP (closed 9/4/19)

Findings of Fact:

Property is located at 5 Shire Drive, C-1 zoning district, Assessor’s Map 18/69/1-3

Requesting parking in the front

11 spaces in the front yard

Site plan approval was granted on 4/9/19

No abutters dissented

Mr. Wider read Appendix B into the record.

***Mr. Kulesza made a motion to grant the Special Permit for 5 Shire Drive; Mr. Hanssen seconded the motion; the vote on the motion was as follows:***

- Christopher Wider* - *yes to grant*
- Michael Kulesza* - *yes to grant*
- Devin Howe* - *yes to grant*
- Joseph Sebastiano* - *yes to grant*
- Donald Hanssen* - *yes to grant*

7 Shire Dr, SP (closed 9/4/19)

Findings of Fact:

Property is located at 7 Shire Drive, C-1 zoning district, Assessor’s Map 18/69/1-4

Requesting parking in the front

4 spaces in the front yard

Site plan approval was granted on 7/9/19

No abutters dissented

Mr. Wider read Appendix B into the record.

**Mr. Kulesza made a motion to grant the Special Permit for 7 Shire Drive; Mr. Hanssen seconded the motion; the vote on the motion was as follows:**

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

5 Philips Way, SP (closed 9/18/19)

Findings of Fact:

Property is located at 5 Philips Way, C-1 zoning district, Assessor's Map 18/61/49-11

Requesting parking in the front

2 spaces in the front yard

Site plan approval was granted on 5/1/19

Parking could not be located in the rear due to water retention and steep topography

No abutters dissented

Mr. Wider read Appendix B into the record.

**Mr. Kulesza made a motion to grant the Special Permit for 5 Shire Drive; Mr. Hanssen seconded the motion; the vote on the motion was as follows:**

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

**UNANTICIPATED NEW BUSINESS:**

15 Bridie Lane - Mr. Wider said the applicant has informed the board that they would like to "withdraw without prejudice" (not act upon) their previously granted right to install a ground-mounted solar system.

**Mr. Sebastiano made a motion to adjourn the meeting at 740 P.M.; Mr. Kulesza seconded the motion; the vote on the motion was unanimous.**

  
Joseph Sebastiano, Clerk