

July 5, 2018
Minutes of Meeting

Present

Brian Wright (BW) – Chairman
James Dunlea (JD) – Vice Chairman
Arturo Paturzo (AP) - Member
Brian Salisbury (BTS) – Member
Peter Gabrielle (PG) – Member
Joseph Flanagan (JF) – Alternate Member
James Jeschke (JJ) - Alternate Member

Other Attendees

James S. Kupfer (JK) – Town Planner and Zoning Compliance Officer
Timothy Aicardi (TA) – Building Commissioner

BW opened the meeting.

Renewal – 39 Irene Court – James & Marcia Martin

Special Permit for Family Apartment
Sitting In: BW, JD, AP, BTS and PG

Marcia Martin was in attendance for a renewal of a family apartment at 39 Irene Court which was originally issued in August 2012. She explained there have been no changes to the living arrangement or the home. Everything is the same as in the original permit. Their daughter, Heather Thomas-Michael is still living there. No board questions. No public questions.

AP motion to close the hearing.
JD second.
All in favor to close.

AP motion to grant the renewal as presented with Heather Michael-Thomas continuing to reside there.
JJ second
All in favor.

The renewal is granted for another 5 years. The applicant stated she will take the decision to the Registry of Deeds.

New – 23 Pine Acres – Philippe & Monique Carpentier

Special Permit for Family Apartment
Sitting In: BW, JD, AP, BTS and PG

JK read the PH notice.

BS motion to open the hearing.

JJ second.

All in favor to open.

The Applicant explained that their son, Timothy and his wife own the home. They purchased it from them at the end of June. The family apartment will be for herself and her husband, Monique P. & Philippe F. Carpentier. The proposed addition and garage will be added to the side of the existing dwelling. It will be one level. PG stated if they are creating a new curb cut they will have to get permission from the DPW. The Applicant agreed they will. JK explained they would get an application at the DPW for the 2nd driveway. AP stated it meets all the setbacks required. It looks like it will match the existing house quite well and it would not have a negative impact on the neighborhood. JD asked if there are any egress points from one unit to the other. The Applicant stated there is an egress in the basement. BW asked if the foundation would be a continuous flow. The applicant stated that it would. The Applicant confirmed they have town sewer and that there is adequate parking for a two family dwelling. No further board questions. No public comments.

BTS motion to close the hearing.

JJ second.

All in favor to close the hearing.

AP motion to grant as requested and to return in 5 years for a renewal.

BW second.

All in favor.

JK stated there is a 20 day appeal period and after that time they can apply for their Building Permit.

New – 30 Beechwood Road – Paul Monaghan

Special Permit & Variance for Family Apartment

Sitting In: BW, JD, AP, BTS and PG

JK read the Public Hearing notice.

AP motion to open the hearing.

JF second.

All in favor to open.

The owner and applicant, Paul Monaghan was in attendance. He explained he has a newly constructed single family home where he and his wife reside. His mother-in-law, Marianne O'Neill will occupy the unit above the garage. She is 70 years old and on a fixed income. There will be an entrance from the garage. There will also be a pocket door. It has a full kitchen, a full bath, and stairs down to the garage. There is town sewer. Parking is adequate for a two family. The design is within the character of the neighborhood and will not have a negative impact. BW asked for an explanation as to why he is asking for the variance, also. JK read the requirements

for a family apartment where it states the single family dwelling must be in existence under legal occupancy for at least two years. This dwelling is brand new. PG asked if builder explained to them that a two family is not permitted as this seems to be after the fact. The Owner stated he approached him in April and explained it then. JJ asked why they couldn't just consider this person as living in a fourth bedroom. The board explained there is a 2nd kitchen. TA stated they are creating a second unit in the home. This is how we regulate it. PG asked technically how the Building Inspector constitutes a separate dwelling. TA explained it is a separate entrance, sitting room, etc. Owner stated one propane tank, one electric meter, and no intentions of renting. The mother has been living with them for one month. JK stated the variance would run with the special permit and after 2 years it would just be the special permit. BW explained it is related to a durational variance and not your normal variance request. No public questions or comments.

BW motion to close.

PG second.

All in favor to close the hearing.

JD motion to grant a variance to waive the two year occupancy permit requirement.

AP second.

All in favor to grant to waive the two year occupancy requirement.

AP motion to grant the permit as requested for the family apartment.

BTS second.

All in favor to grant the family apartment permit.

There is a 20-day appeal period.

New – 4 Sagamore Road – Kimberly Ladouceur

Special Permit to replace and extend 8' fence

Sitting In: BW, JD, AP, BTS and PG

JK read the public hearing notice.

AP motion to open the hearing.

JF second.

All in favor to open.

The applicant, Kimberly Ladouceur was in attendance and explained she wants to replace the current 6' stockade fence with an 8' fence. Her property abuts a lot on Hartford Avenue. The current fence is wood and will be replaced with a white vinyl fence. JK explained the building code only speaks of a 6 foot fence and anything else is considered outside of the building code and therefore considered an accessory use/structure. The 6 foot fence was there when the Applicant bought the home and the original owners added lattice to the top. There is only one side that abuts a home and that is vacant right now. The back faces Cedar Hill Road and the other side there are trees. AP asked if the 8 foot fence would reach out to the street. The Owner stated it is 120 feet from the road. It is just for the pool privacy and will

terminate at the front of the house. There is 150 foot driveway. JD read the criteria. The board felt the fence will not have any adverse impact to the neighborhood. No public comments.

BW motion to close the hearing.

AP second.

All in favor to close.

AP motion to grant the special permit to erect an 8 foot fence along the rear and side of the property.

PG second.

All in favor.

New – 55-57 Box Pond Road – Providence Place Properties, LLC

Special Permit to re-establish a non-conforming structure

Sitting In: BW, JD, AP, BTS and PG

JK read the public hearing notice.

AP motion to open the hearing

BS second.

All in favor to open the hearing.

The applicant was not in attendance.

The Board allowed TA to explain the history of this property. It is a small parcel on Box Pond, under ½ acre. There is an approved septic design plan. There are 2 dwellings on the lot. It needs a septic system and it is also before the conservation commission. It is serviced by well water. He explained the reason why he sent them to the Board was that the property was abandoned and the owner will need to re-establish the use. He asked the Applicant to bring in some information to prove that it has not been abandoned for 2 years or more. It has been sold 2 times in the past 3 years. The man that owns it now wants to re-establish its use. JK stated the septic repair plan is dated 2007. That never took place. TA stated they have not shown any proof as of yet that it was not abandoned. The burden is on them to prove. JK said a site visit would be a good idea with the Building Inspector. JK will set up a site walk. An abutter at 59 Box Pond Road, Brian Cook, explained one structure is 1 foot off his property line and is in poor shape. Cook has owned his property for 10 years. Cook stated he had to shut the water off at the abandoned property a few years ago because the pipes burst. A few years back he saw people living there, but not now. No one has been in it the past year. He is there all time. BW stated seeing how they are before BOH and Conservation they will move to continue to August meeting.

AP motion to continue the hearing to August 2nd.

PG second.

All in favor to continue the hearing.

JK/TA will coordinate a site visit.

Continuance - 799 -801 Pulaski Blvd. – John Wasylean, Jr.

Special Permit for Earth Removal

Sitting In: BTS, BW, AP, JD and PG

Stephen O'Connell of Andrews Survey and Engineering was in attendance. The Planning Board process has completed. This is for the earth removal permit for a two lot subdivision. Two unique features are that there is an electric easement running through the center of the property and a large hill at the rear of the property. It is good sand and gravel and will that will be utilized on site. The Applicant exceeds the threshold to remove earth from the site, 21,000 Cubic yards. About 6 to 8 000 will be used on site and the rest will be moved. BW stated the majority of the earth to be removed is in lot 2, about 90%. The Applicant stated that this activity could be the first thing that happens on the lot. The trucks will come up Deer Run. It's approximately 500 truck trips. There are four direct abutters. PG asked if they had any concerns over the amount of truck trips. It was discussed at Planning Board. PG stated it is a lot of truck trips. The Applicant stated that the time frame is about 4 to 5 weeks. They would water to keep dust down. JD stated he would like to conduct a site visit and get better number on trips and volume. There will be school buses, more traffic when this begins. The Applicant will get that information to the board. JK will coordinate a site visit.

AP motion to continue to August 2, 2018.

PG second.

All in favor to allow continuance.

JK will let the board know when he has some dates for the site visit.

New - 300 Hartford Avenue – HDC, Five, LLC

Special Permit for Earth Removal

Sitting In: BW, JD, AP, BTS and PG

JK read the public hearing notice.

AP motion to open the hearing.

JJ second.

All in favor to open the hearing.

Stephen O'Connell from Andrew's Survey and Engineering was in attendance as their representative. The proposal is to remove earth in excess of 2,500 cubic yards for a self-storage facility. The access is through the existing gas. The Applicant will remove approximately 2800 cubic yards. It's a 2 level building. The sizes of the storage areas can vary. They came before planning board with a favorable decision. PG asked about the cars coming out from the gas station and Dunkin Donuts. JK

explained the Board may condition any truck traffic. JK explained that once the PB decision is complete he will call a Department Head meeting where more details will be discussed involving police detail requirements, hours of operation, etc. The removal trips are constant and the return trips are as needed. PG asked if they can dictate which way they travel out of the site. There will be school in session and they don't need any more truck traffic down Maple Street. The Board questioned when the start date would be. Stephen O'Connell stated it is difficult to estimate, as they don't have any subcontractor's hired yet. JK recommend maybe a condition of a right turn only towards I-495 out of the site. If the Applicant has a good reason as to why they can not follow that condition that they can then come back and amend the decision. AP stated if they turn right they wouldn't go by the school. PG stated Maple Street could not handle anymore trucking. The perimeters around the site are vegetated. BW agreed with traffic concerns so feels right hand turn is good. PG stated more advantageous for traffic flow. The Board feels that is a reasonable condition. All trucks shall be covered. Stephen stated approximately 20 days to get earth out of there.

AP motion to close.

PG second.

All in favor to close.

AP motion to grant as requested with earth removal trucks moving out of the site to the right only, trucks shall be covered, hours of operation 7:00 am to 5:00 PM Monday thru Saturday, no work on Sundays or holidays.

PG second.

All in favor to grant as requested with the added restrictions.

Minutes- May 3, 2018

BW motion to accept the minutes as presented.

PG second.

All in favor to accept minutes.

JK stated Lakeview Estates is making progress and stabilizing the perimeter of the site and he feels there is no need for them to come back before the ZBA at this time.

9:00 pm meeting adjourned

Approved 8/2/2018