

## SHARON ZONING BOARD OF APPEALS MINUTES OF September 9, 2015

A regular meeting of the Sharon Zoning Board of Appeals was held on Wednesday, September 9, 2015 at 7:00 P.M. in the Second Floor conference room at the Sharon Community Center, 219 Massapoag Avenue. The following members were present: John Lee, Seth Ruskin, Joe Garber, and Sam Reef.

### **7:00 P.M. Boris Milkin 3 Roberta Drive, Case No. 1776 New Hearing:**

Mr. Lee read the legal notice, the letter from Jim Andrews, Health Agent for Engineering, and the letter from Greg Meister, Conservation Administrator.

Mr. Miklin explained that he currently has a 12 by 12 deck and he would like to build a roof over it.

A conversation ensued mentioning the following: the property is in the Ground Water Protection District, the current deck is staying as is, there will be no screen, posts will be on the corners of the deck.

Mr. Lee stated the standard conditions will apply as well as the following special conditions: no increase in habitable space and the deck will not be enclosed (no screens).

Mr. Milkin asked to close the hearing.

Mr. Ruskin moved to close the hearing and Mr. Garber seconded the motion. The board voted to close the hearing (4-0-0).

Mr. Lee moved to approve the plans for Case No. 1776 at 3 Roberta Drive with the special conditions mentioned above and as per the following plans: plot plan dated August 25, 1997, and drawings by Gerard Chevalier Contracting. Mr. Ruskin seconded the motion.

The board voted 3-0-0 in favor of the plans (Ruskin, Lee, Reef).

### **Wayne Bethoney 5 Serwood Circle, Case No. 1774 New Hearing:**

Mr. Ruskin read the legal notice, the letter from Jim Andrews, Health Agent for Engineering, and the letter from Greg Meister, Conservation Administrator.

An engineer from Civil Site Engineering explained the proposal for a detached three (3) car garage.

A discussion ensued mentioning the following points: second floor of the new garage will be used as storage space, there will be no plumbing, there will be no electrical at the time, the lot is too small and is in the Surface Water Protection District, and the size/description of the garage.

Mr. Lee stated the following special condition: There will be no plumbing and electrical at this time.

Mr. Bethoney asked to close the hearing.

Mr. Garber moved to close the hearing and Mr. Ruskin seconded the motion. The board voted to close the hearing (4-0-0).

Mr. Lee moved to approve the plans for Case No. 1774 at 5 Sherwood Circle with the special condition mentioned above and as per the following plans: plot plan dated August 26, 1997, and plans by Civil Site Engineering. Mr. Ruskin seconded the motion.

The board voted 3-0-0 in favor of the plans (Ruskin, Lee, Reef).

### **Keevin Geller, Trustee of Gander Realty Trust, 216 North Main Street, 20 Canton Street, and 24 Canton Street, Case No. 1773 New Hearing**

Mr. Lee read the legal notice, a letter from Jim Andrews, Health Agent for Engineering, stated the 6 unit condo conversion was approved by the Board of Health on June 23, 2015 (Permit #9665), a letter from Greg Meister, Conservation Administrator, and a letter from Beverly Anderson, Board of Health, stating the board approves the change in use of property.

The applicant's attorney, Mr. Joel Fishman, described the project as follows. The property was the location of the former "Box Company" at North Main Street in a nonconforming building and considered to be of pre-existing nonconforming use.

Mr. Geller proceeded by explaining the history of the property.

Mr. Merrikin from Merrikan Engineering of Millis further described the project.

A discussion ensued about drainage, safety, height calculation, number of bedrooms, Storm Water Management, windows on the second floor.

Mr. Fishman explained the question to answer is if the plans are substantially more detrimental to the neighborhood. His opinion is that the plans are beneficial to the neighborhood.

Two abutters were present and expressed support of the plans.

Mr. Fishman discussed the various points of a letter from Peter O'Cain, Town Engineer.

Mr. Lee stated that the hearing will continue at the next meeting and that the following will be addressed/expected: DEP file #, confirmation of no elevation changes, Article 38, updated plans showing windows on the second floor.

Mr. Lee stated the property is of nonconforming use and will remain of nonconforming use and is less detrimental to the neighborhood.

The applicant agreed to continue the hearing on October 28, 2015.

Respectfully submitted,