

## SHARON ZONING BOARD OF APPEALS MINUTES OF JULY 11, 2018

A regular meeting of the Sharon Zoning Board of Appeals was held on Wednesday, July 11, 2018 at 7:00 P.M. in the Second Floor conference room at the Sharon Community Center, 219 Massapoag Avenue. The following members were present: Seth Ruskin, Abe Brahmachari, Steve Cohen. Barry Barth arrived 7:15 P.M.

### **7:04 P.M. Arthur Kesselman, 24 Bella Road, Case No. 1821 – Continued Case**

Mr. Kesselman provided the Board with an updated plot plan showing existing and proposed plans.

Mr. Ruskin explained that the standard for a variance is high and that it is not often given. One of the criteria is topography and the Building Inspector believes this situation qualifies.

The applicant asked to close the hearing

The plan presented at today's hearing was dated April 2, 2018 and Mr. Kesselman hand dated the plot plan July 11, 2018 and signed it.

Mr. Ruskin moved to close the hearing. Mr. Brahmachari seconded the motion. The board voted in favor of closing the hearing (3-0-0).

Mr. Ruskin moved to approve the plans for a variance for Case No. 1821 at 24 Bella Road with standard conditions. The plans include a plot plan dated July 11, 2018. Mr. Brahmachari seconded the motion.

The Board voted 3-0-0 in favor of the plans (Ruskin, Brahmachari, Cohen).

### **7:10 P.M. Dan Clem & Michelle Cho, 22 Woodland St, Case No. 1823 – New Hearing**

Mr. Ruskin read the Legal Notice, a letter from Greg Meister, Conservation Administrator, dated July 5, 2018, and a letter from Kevin Davis, Agent of the Board of Health, dated June 22, 2018.

Mr. Clem explained that the bungalow home was built around 1900 and is about 1480 square feet. It has 2 bedrooms upstairs and 1 bedroom downstairs. The applicants would like to have all three bedrooms on same floor. The downstairs bedroom next to living room would be converted into a work room/laundry space. Additional space would be added on on 2<sup>nd</sup> floor and some space on 1<sup>st</sup> floor. The house is already in the front setback and therefore nonconforming. The

addition would be in line with the front foundation. The septic system is located in the back of the house. The addition would add 538 square feet of living space. The home would remain a three bedroom.

Applicant asked to close the hearing.

Mr. Ruskin moved to close the hearing. Mr. Brahmachari seconded the motion. The board voted in favor of closing the hearing (4-0-0).

Mr. Ruskin moved to approve the plans for Case No. 1823 at 22 Woodland Street with standard conditions. The plans include a plot plan dated May 10, 2018, by Sharon Survey Service and architectural plans dated May 2018, by Keri Murray Archirecture. Mr. Brahmachari seconded the motion.

The Board voted 3-0-0 in favor of the plans (Ruskin, Brahmachari, Barth).

### **7:30 P.M. Equinox Homes, C/O John McGowan, 127 Beach St, Case No. 1824 – New Hearing**

Mr. Ruskin read the Legal Notice, a letter from Greg Meister, Conservation Administrator, dated July 5, 2018, and a letter from Kevin Davis, Agent of the Board of Health, dated June 28, 2018.

Mr. McGowan explained the project as a demolition and reconstruction of single family home. It would not be more substantially detrimental to the neighborhood but it is more beneficial as it would decrease the nonconforming nature, the septic system would be replaced, and it would improve aesthetics and be less in the buffer zone. The existing size is about 1500 square feet plus 523 impermeable walkway surface. The proposed footprint is 1400 square feet of structural house plus a front farmer's porch and zero impermeable surface. There is a tenant currently in the home. The intent is to build a new house and sell it.

Additional statements/points were made: Side setback is not being improved. New house is being squared off with new the design. Abutter is fine as long as there is a fencing along left hand side and fencing in the back. Attached one car garage is proposed and is within 1400 square feet. Parking is opposite side of house and is not safe, therefore it will be brought onsite.

Mr. Meister's letter expressed that the "new structure is in keeping with existing precedent and a new septic system with alternative pre-treatment has been approved for installation by the Board of Health."

David Oberlander of BDO Engineering was present and explained that he is the current owner of the house and is selling it to Mr. McGowan. Also, the current septic system is in failure and the new system would be the Singlair system which is a treatment unit and is cleaner than a typical septic tank. The system would be behind house pursuant to a septic easement and BOH has approved the system.

Mr. Davis' letter (Agent for BOH) expresses that a request for a variance dated March 27, 2018 regarding a three bedroom septic design was approved.

Additional statements/points made: The lot behind 127 Beach Street is 127 R and it is currently vacant, not bank owned and not foreclosed. All possible notices have been given to the various interested parties. There is an existing easement.

Mr. McGowan stated that Town Counsel expressed that he should ensure that all interested parties received notice that the septic will be disconnected even though it is in failure. The septic system is shared between lot 127 R and lot 127 and lot 127R would need to rebuild a new system in the future.

It was stated that one area of nonconformity is offset by other improved areas.

Abutter, Gary Bluestein, of 123 Beach Street, stated that the project would enhance the neighborhood.

Abutter, Gerald Saphire, of 125 Beach Street stated that the design will enhance the neighborhood and supports project.

Mr. McGowan stated that he would like to do white privacy fence.

Mr. McGowan explained that he the second floor may have two bedrooms or three bedrooms which will be determined later in the project. The septic would be for three bedrooms and the Building Inspector would review the floor plan prior to final approval.

The applicant asked to close the hearing.

Mr. Ruskin moved to close the hearing. Mr. Brahmachari seconded the motion. The board voted in favor of closing the hearing (4-0-0).

Mr. Ruskin moved to approve the plans for Case No. 1824 at 127 Beach Street with standard conditions plus one special condition that the new house would not exceed three bedrooms. The plans include a plot plan revised July 6, 2018, and architectural plans dated June 27, 2018, by Westchester Modular Homes Inc, Wingdale, NY. Mr. Brahmachari seconded the motion.

The Board voted 3-0-0 in favor of the plans (Ruskin, Brahmachari, Barth).

**Minutes:** Mr. Ruskin moved to approve the minutes of June 27, 2018. Mr. Brahmachari seconded the motion. The Board voted 3-0-0 to approve it.

It was moved, seconded, and voted to adjourn. The meeting adjourned at 8:10 P.M.

Respectfully submitted

Approved July 25, 2018