

SHARON ZONING BOARD OF APPEALS MINUTES OF JANUARY 9, 2019

A regular meeting of the Sharon Zoning Board of Appeals was held on Wednesday, January 9, 2019 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, Joe Garber, Barry Barth, and Steve Weiss.

7:02 P.M. David Straus, 283 North Main Street, Case 1832 – New Hearing

Mr. Ruskin read the Legal Notice, a letter from Greg Meister, Conservation Administrator, dated January 3, 2019, and a letter from Kevin Davis, Agent of the Board of Health, dated December 24, 2018.

Mr. Straus seeks two findings and a special permit relative to a structural expansion to a structure on a nonconforming lot. Lot situated in the Single Residence A Zoning District.

The applicant's architect, Ms. Keri Murray, explained that it's an antique home with family of five living there and a small Montessori school run out of the home. Many original elements remain. Side of home has a 20-foot setback. Opposite side has 7-foot setback so not in compliance. Proposed adding program space to the back and improving the second floor bedroom footprint, but no bathrooms added. Gable off back in keeping with colonial home. Addition won't be seen very much from main street; just a small entry way shows from north main street. Has low impact on neighbors per architect.

It is currently a four-bedroom home. A window is becoming a door and structural engineer has been out to the site. First floor currently has three rooms being used by school on an every-day basis so only small part of main floor is available to family. Also a larger kitchen area is considered important. The new gable in rear won't be visible from the street. The side setback to the left has a setback from 6.4 feet to 7 feet 6 inches. They are maintaining the existing setback. The landing will be inside the 7-foot setback. The house is not in the historical registry. Currently 1,776 square feet and they are adding 1,100 square feet to get to 2,700 or 2,800 sq. ft.

Concern expressed that if they sell the house it could be another bedroom. Also the side setback relief required for the landing and two stairs doesn't leave

enough space to property border. Could be considered an obstruction to the setback. Architect says current deck is five feet and she uses only two or three feet. They are going to take deck out and then put in a landing or a step, something that will not need a railing. They would like to request a portico/overhang over the door in line with the landing that they are requesting. They are considering putting a fence up to keep people within their strip of property. State caps pupils at 10. They have a state license to run school.

Mr. Ruskin says they could write into decision that it is a four-bedroom house and needs to stay a four-bedroom house. Classroom is not designed currently to be really private. They are trying not to rip up antique pine floors, etc. but rather to work with existing structure. Conversation about whether door size matters if it is stipulated that program space isn't a bedroom in decision. Mr. Kent has met with homeowner three times. Mr. Straus says he would like to have a barrier. Powder room in classroom will have child size sinks etc. Owners are trying to create a dedicated space from the classroom. Different than typical request for den with potential for different use.

Discussion over plans of where to move the doors and maintain means of egress including options of either regressed egress or entry from the back. Architect says it will not look right and septic becomes an issue. A stone on the ground won't affect septic, only a piling. If architect puts door in back it alleviates whole problem on side. Owner wants parents and children to get from side walkway into classroom with something to step on. Need 35 square feet per child and they have approximately 405 square feet per child.

Hoping to be under construction in April with goal to open in September. Case has some concerns: worse adding step out into already compromised setback and, secondly, four- or five-foot opening to classroom would go with what prior approvals have had but currently 36-inch opening.

Mr. Ruskin says it is such a tiny setback to begin with and ZBA has held up approval for inches on the sides in past. This is the shortest setback he has ever seen. Also noted request is because it is a hardship for a business, not a residential issue, so concerning.

Owner asks Board to consider raising the grade up higher by terracing on that side of the house and create a gentle slope as a possible option. It could be to grade

and not attached. Board would like to see changes and informs owner and architect that they can return for next meeting on Wednesday, January 23, 2019.

7:54 P.M. Chandra Ghosh, 46 Lyndon Road, Case No. 1832 – New Hearing

Abe Brahmachari recused himself.

Mr. Ruskin read the Legal Notice, a letter from Kevin Davis, Agent of the Board of Health, dated December 24, 2018, and a letter from Greg Meister, Conservation Administrator, dated January 3, 2019.

Applicant seeks two findings and a special permit relative to a structural expansion on a non-conforming lot. Property is in Single Residence A Zoning District.

The applicant, Mr. Ghosh, arrives with new, larger architectural drawings dated January 6, 2019, from General Architecture, 529 Massapoag Ave., Sharon, MA. Plans add garage with master bedroom above. One of the existing bedrooms will become bigger by removing a wall. Family room on first floor will be front to back. They have quite a bit of land on side setback. There is a lot of space on lot. Existing 1,225 sq. ft. house and proposing 2,835 sq. feet to more than double the size of house. Height is only 18 feet per owner.

Basement is finished on one half. Two other neighboring properties have had similar revisions in last few years. Lot sizes in neighborhood are larger making it possible for the large addition. Concern is that it will stay a three-bedroom house. Second floor has an enlarged bedroom and also a master bedroom with half flight of stairs but no door leading to prayer room.

Applicant asked to close the hearing.

Mr. Ruskin moved to close the hearing. Mr. Garber seconded the motion. The board voted in favor of closing the hearing (4-0-0). Barth, Garber, and Ruskin voting. Weiss present. Brahmachari recused.

Mr. Ruskin moved to approve the plans for Case No. 1833 at 46 Lyndon Road with standard conditions plus special condition that the house is currently a three-bedroom home and will remain a three-bedroom home. Architectural plan dated January 6, 2019 from General Architecture, 529 Massapoag Ave, Sharon, MA, and

plot plan from Antonino Land Surveyors, Inc., 31 Ledgebrook Ave., Stoughton, MA, dated November 3, 2018.

Mr Garber seconded the motion.

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

Minutes:

Mr. Ruskin moved to approve the minutes of November 28, 2018. Mr. Garber seconded the motion. The Board voted 5-0-0 to approve it.

It was moved, seconded, and voted to adjourn.

The meeting adjourned at 8:15 P.M.

Respectfully submitted