

**SHARON ZONING BOARD OF APPEALS
MINUTES OF WEDNESDAY, MARCH 10, 2021**

LOCATION OF MEETING: In compliance with the Governor's emergency declaration relative to the conduct of public meetings, the Town arranged to conduct board and committee meetings using Zoom video/audio conferencing in an effort to minimize the spread of COVID-19. Interested citizens received directions on how to attend the meeting remotely in the Agenda as posted on the ZBA website and the Town. This meeting was presented with the video and/or audio available for later broadcast. The Zoning Board of Appeals is focused on observing the spirit of the Open Meeting Law during this temporary emergency situation to assure accountability for the deliberations and actions of elected and appointed officials conducting the public's business.

A virtual meeting of the Sharon Zoning Board of Appeals was held on Wednesday March 10, 2021, at 7:00 P.M. The following members were present as established by roll call: Abe Brahmachari, David Young, and Sam Reef were present. Mr. Garber and Mr. Weiss were not present. Kris White building inspector was present. The Chair, Abe Brahmachari reading Covid19 protocols per the Governor of MA and procedural ground rules.

7:00 PM – Denise Perry, 461 South Main Street, 1873—New Hearing

Present for the applicant: Denise Perry, applicant; Daniel J. Merrikin, P.E., President, Legacy Engineering, Millis, MA 02054.

Documents submitted included: application filed on February 4, 2021; architectural plans by Northcounty Group, Inc., Taunton, MA, dated January 12, 2021; and a plot plan by Legacy Engineering, Millis, MA dated January 27, 2021.

Mr. Brahmachari read the legal ad as it appeared in the Times Advocate on February 17, 2021 and February 24, 2021; letter from John Thomas, Conservation Commissioner, dated February 10, 2021; and a letter from Kevin Davis, Agent of the Board of Health, dated February 10, 2021. Applicant is seeking two findings and a special permit relative to a proposed 2nd floor structural expansion and a front portico structure on a non-conforming structure on a non-conforming lot.

Applicant's project engineer, Daniel Merrikin, P.E., Legacy Engineering, reviewed the plot plan non-conformities with front yard and side yard setback. Current building is a Cape-style house with one story addition to the right and a deck off the back. Applicant would like to 1) without changing the footprint, take off the cape style roof and build a full second floor with a proposed second floor overhang on back of structure and 2) put a portico above the front steps. Mr. Merrikin stated that if board considered second floor change under Sharon Zoning Bylaw Sec. 6412 (A), there is no increase in nonconforming. Or, he added, board can consider the whole project under Sharon Zoning Bylaw Sec. 6412 (B) where 6412 (A) doesn't apply and issue special permit that proposed alterations are not substantially more detrimental to the neighborhood. The proposed front portico would change the front yard setback to 23.4 feet from the street. Architect showed existing floorplan and proposed floor plan. It's really about the second floor getting larger bedrooms per Mr. Merrikin.

Board discussion considered that Heights neighborhood in the past has not allowed for a full second floor with the exception of one property that is also on South Main Street. Although this property is part of the Heights neighborhood, there is a school building across the street from it. And the addition of a portico doesn't come any closer to street than the existing steps already are. It is a three bedroom, one bath home

currently. Increase to the height of the home peak of the roof is a guesstimate from the architect of a seven- or eight- foot height increase. Portico is considered part of the structure. Setback is not measured from the step, but from the structure, so portico rather than the front door determines setback. A condition should be added that it remains a three-bedroom home.

No abutters present.

Applicant requested to close the case.

Mr. Brahmachari motioned to close 461 South Main Street 1873. Seconded by Mr. Reef. Unanimous roll call: 3-0-0 (Brahmachari, Young, Reef). Garber and Weiss not present.

Mr. Brahmachari motioned to approve 461 South Main Street, Case 1873 as shown on application filed on February 4, 2021; architectural plans by Northcounty Group, Inc., Taunton, MA, dated January 12, 2021; and a plot plan by Legacy Engineering, Millis, MA dated January 27, 2021, with standard conditions and one special condition that it is a three-bedroom house and is to remain a three-bedroom house.

Seconded by Mr. Reef. Unanimous roll call: 3-0-0 (Brahmachari, Young, Reef). Garber and Weiss not present.

Executive Session will be continued to Tuesday, March 16, 2021.

7:30 PM Minutes from February 10, 2021

Chair moved to approve the minutes for February 10, 2021. Seconded by Mr. Reef. Unanimous roll call: 3-0-0 (Brahmachari, Young, Reef....can we reopen this one he wasn't present and no fourth member present.). Ms. Schustek will check with town counsel on next step regarding this vote.

It was moved, seconded, and voted to adjourn.

The meeting adjourned at 7:33 PM.

Respectfully submitted.

Minutes Approved on April 14, 2021